THE BOMBAY INDUSTRIAL RELATIONS ACT, 1946 (BOM. XI OF 1947).

G. N., L. & H. D., No. 1237/46, dated 19th June 1950 (B. G., Pt. IV-B, p. 1443). S. 62 (1)

In exercise of the powers conferred by sub-section (*1*) of section 62 of the Bombay Industrial Relations Act, 1946 (Bom. XI of 1947), and in supersession of Government Order, Labour Department, No. 1237/46, dated the 3rd March 1948, the Government of Bombay is pleased to fix for each stage of the conciliation proceedings provided for under Chapter X of the said Act mentioned in column I of the Schedule hereto appended the time limit specified opposite thereto in column II of the said Schedule.

Schedule.

I Stage of conciliation proceedings.	II Time limit.
(1) Holding of the conciliation proceedings under section 56.	Within ten days from the date on which the dispute is entered in the register under section 55.
(2) Close of the proceedings before the Conciliator.	Within nine days from the date on which the proceedings are held under section 56, after excluding the period of extension mutually agreed to by the parties under sub-section (*2*) of section 62.
(3) Submission of a report under sub-section (*1*) or (*2*) of section 58, as the case may be.	Within two days from the last day on which conciliation proceedings are held.
(4) Forwarding of the report under sub-section (*3*) of section 58.	Within two days from the date of the submission of the report under sub-section (*1*) or (*2*) of section 58, as the case may be.
(5) Publication of the report under sub-section (*4*) of section 58.	Within seven days of the submission of the report under the proviso to sub-section (*2*) or under sub-section (*3*) of section 58.

G. N., L. & H. D., No. 717/48, dated 17th May 1950 (B. G., Pt. IV-B, p. 985). S. 113

In exercise of the powers conferred by section 113 of the Bombay Industrial Relations Act, 1946 (Bom. XI of 1947), the Government of Bombay is pleased to amend Schedules I and III to the said Act as follows, namely :—

In item 9 of Schedule I and item 7 of Schedule III, for the word " stoppages " the word " closures " shall be substituted.

S. 123 Bombay Industrial Relations Rules, 1947.

G. N., P. & S. D., No. 1237/46, dated 20th September 1947 (B. G., Pt. IV-B, p. 594).

Amended by G. N., Lab. D., No. 1237/46, dated 8th February 1949.

Amended by G. N., Lab. D., No. 1237/46, dated 8th March 1949.

Amended by G. N., Lab. D. No. 717/48, dated 31st May 1949.

Amended by G. N., L. & H. D., No. 717/48, dated 16th January 1950.

Amended by G. N., L. & H. D., No. 717/48, dated 14th June 1950.

In exercise of the powers conferred by section 123 of the Bombay Industrial Relations Act, 1946 (Bom. XI of 1947), the Government of Bombay is pleased to make the following rules, namely :—

1. *Short title.*—These rules may be called the Bombay Industrial Relations Rules, 1947.

2. *Definitions.*—(1) In these rules unless there is anything repugnant in the subject or context,—

(*i*) "Act" means the Bombay Industrial Relations Act, 1946 ;
(*ii*) "Form" means a form appended to these rules ;
(*iii*) "Schedule" means a Schedule appended to the Act ;
(*iv*) "Section" means a section of the Act.

(2) Words and expressions not defined in these rules shall have the meanings assigned to them under the Act.

3. The State Government shall maintain two separate panels of an equal number of persons representing the interests of employers and employees for the purposes of appointment on Boards of Conciliation constituted under section 7. Before making appointments to these panels the State Government shall invite such organizations of employers and workers and such other bodies and persons as it may deem fit to recommend the names of suitable persons for this purpose. The members of the panels shall be selected from the names so recommended.

4. The list of panels constituted under rule 3 shall be published in the *Official Gazette*.

5. The name of any member of a panel who has been adjudged a bankrupt, or has been declared insane or who has been convicted in a criminal proceeding, for an offence involving moral turpitude shall be removed from the panel.

6. Any vacancy on these panels which may have been caused by resignation, death or by virtue of rule 5 shall be filled in the manner provided for in rule 3. The appointment of a person in every vacancy so filled shall be notified in the *Official Gazette*.

7. Any vacancy which has been created on a Board shall be filled by the State Government in the case of a member either by an independent person or from the panel concerned according as the original member was an independent person or a person from the panel and in the case of the Chairman by an independent person. The name of the person so appointed shall be notified in the *Official Gazette*.

8. If a Chairman or any member of a Board is adjudged a bankrupt or is declared insane or is convicted in any criminal proceeding for an offence involving moral turpitude, he shall cease to be a member of such Board and the vacancy so created shall be filled in the manner laid down in rule 7.

9. A person shall not be eligible to be appointed to preside over a Labour Court unless he is or has been a Civil Judge or possesses the following qualifications :—

(*a*) He has practised as an advocate or pleader in the High Court of Bombay or in the Civil or Criminal Courts subordinate to it for at least 7 years and either—

(1) is a Bachelor of Laws of the University of Bombay, or

(2) has passed the examination for Pleaders held by the High Court, or

(3) has passed the Advocates' Examination conducted by the Bombay Bar Council, or

(4) has been admitted to the Bar of England, Northern Ireland or Scotland;

(*b*) He has sufficient knowledge of any one of the following regional languages of the State, viz. Gujarati, Marathi and Kannada to enable him to speak read and write and transalate with facility from the written character into English and *vice versa* ; and,

(*c*) He has had practical experience of labour and industrial problems or has done research in such problems or made a study of labour and industrial law.

10. The registers of unions referred to in section 12 shall be maintained in Forms A, B and C.

11. The list of approved unions referred to in section 12 shall be maintained in Form D.

12. Applications by unions for registration under section 13 shall be in Form E.

13. The fee payable for registration of a union under section 14 shall be rupee one.

14. The certificate of registration issued by the Registrar under section 14 shall be in Form F.

15. The fee payable by a union which makes an application to the Registrar under section 16 shall be Rs. 10.

16. Every application made by a union under section 16 shall be published by the Registrar in the *Official Gazette*.

17. Any union making an application for re-registration under section 17 shall apply in Form G.

18. The fee payable by a union for re-registration under section 17 shall be rupee one.

19. Any change in the address of the head office of a registered union shall be communicated in writing to the Registrar within seven days of such change, and the changed address shall be recorded in the appropriate register maintained under section 12.

20. (1) Any change in the name of a registered union shall be communicated in writing to the Registrar within seven days of the registration of such change under the Indian Trade Unions Act, 1926. The change in name shall be recorded by the Registrar in the appropriate register maintained under section 12 and notified in the *Official Gazette.*

(2) The Registrar shall certify under his signature at the foot of the certificate issued under rule 14 that the new name has been registered.

21. (1) Every employer in any industry in any local area to which the Act applies under sub-section (*3*) of section 2 shall within seven days of the dates on which the Act comes into force and every employer in any industry in any local area to which all or any of the provisions of the Act have been applied under sub-section (*4*) of section 2 shall also within seven days of the date on which such provisions of the Act have been applied to that industry and thereafter on or before the tenth day of every month forward by registered letter to the Registrar a statement in such form as the Registrar may require, showing correctly the number of employees employed by him on the first working day of the month. In all cases where work is done in two or more shifts, the employees in all the shifts shall be included in the number of employees for whom the return is to be made but the figure for each shift shall be shown separately.

(2) Every employer of an undertaking in any such industry shall also forward to the Registrar such statement in the manner provided in sub-rule (*1*) within seven days of the date on which such undertaking was started by him after the coming into force of the Act or as the case may be, after the application of all or any the provisions of the Act to such industry and thereafter on or before the tenth day of every month.

22. Every registered union shall, on or before the twentieth day of every month, forward by registered letter to the Registrar a statement in such form as the Registrar may require. Such statement shall, in the case of a union other than a Representative Union, show correctly the number of members the union had in each occupation on the first day of the month separately for each undertaking of each employer, within the local area for which the union is registered, with whom the members of the union were employed. In the case of a Representative Union such statement shall show correctly the total number of members the Union had in the industry concerned on the first day of the month within the local area for which the Union is registered. Where the Union is registered for more local areas than one there shall be a separate statement for each such local area.

23. The Registrar may call upon any employer or any union to produce such documents and supply such further information as he may deem necessary to prove that the information supplied under rules 21 and 22 is correct

24. (1) The Registrar shall forward in the month of January, April, July and October every year a consolidated statement for the three previous months for every industry separately to the Labour Officer of each local area containing—

(*i*) where there is no Representative Union for an industry in a local area—

(*a*) the number of members each Registered Union has in each occupation in each undertaking in the local area, and

(*b*) the number of employees employed in each occupation in each undertaking in the local area ; and

(*ii*) where there is a Representative Union for an industry in a local area—

(*a*) the number of members of the Representative Union in the industry in the local area and

(*b*) the total number of employees in the industry in the local area.

(2) Such statements shall be open to inspection by any employer or any union in the industry in the local area.

25. (1) Where no Representative Union exists for an industry in a local area any employer or any union in such industry may call upon the Registrar in writing for information in connection with the total number of employees in any occupation or undertaking in such industry and the number of members each registered union has in any occupation in such industry.

(2) Where a Representative Union exists for an industry in a local area any employer or union may call upon the Registrar in writing for information in connection with the total number of employees employed in the industry in the local area and the total number of members of the Representative Union in the industry in the local area.

26. Every order passed under section 14, 15 or 16 and every order passed in appeal under section 20 shall be published by the authority making the order in the *Official Gazette* and a copy of the same shall be forwarded to the Deputy Commissioner of Labour Information for publication in the *Labour Gazette*.

27. Any union desirous of being registered for an industry for more than one local area shall apply in Form E and the provisions of rules 13 and 14 shall apply to such registration.

28. An application by a union for being entered in the approved list shall be in Form H.

29. The President, the Vice-President, the General Secretary, the Secretary, the Joint Secretary, the Assistant Secretary, the Treasurer of an approved union and such members of the union as have completed at least six months of membership and been authorised by the President in this behalf shall, subject to the following conditions, be entitled to collect sums payable by its members on the premises of an undertaking where wages are paid to them :

(*a*) the name or names of the officer or officers or member or members authorised in this behalf shall be intimated in advance to the employer and changes, if any, therein shall be communicated to the employer at least 24 hours before the date of collection ;

(*b*) the officers or members visiting the undertaking for this purpose shall carry a letter of authority in Form I-A.

(*c*) no coercion or force shall be used on any employee ;

(*d*) the collection shall be made without causing hindrance to the staff of he undertaking or interference in the management's work ;

(*e*) not more than 25 employees at a time shall be allowed to gather at the place where such sums are collected ;

(*f*) collections shall be made on the usual pay day or days and the subsequent three days and the day or days on which unclaimed wages are paid :

Provided that (*i*) on the usual pay day or days the collection shall be made during the hours of payment, and (*ii*) on any other days the collection shall be made during such hours as may be mutually agreed upon between the employer and the union subject to the condition that the period shall not be more than three hours on each of such days.

30. The President, the Vice-President, the General Secretary, the Secretary, the Joint Secretary, the Assistant Secretary and the Treasurer of an approved union, shall be entitled to put up or cause to be put up a notice board outside the time-keeper's office or at any other conspicuous place mutually agreed upon between the employer and the union and affix notices thereon during the hours the undertaking is open :

Provided that—

(*a*) the notice board to be put up shall be of a reasonable size ;

(*b*) the notices to be affixed shall be signed either by the President, the Vice-President, the General Secretary, the Secretary, the Joint Secretary, the Assistant Secretary or the Treasurer ; such notices shall relate to lawful activities of the union and shall not be of an offensive or provocative nature.

31. Subject to the provisions of rules 32, 33 and 34, the President, the Vice-President, the General Secretary, the Secretary, the Joint Secretary, the Assistant Secretary and the Treasurer of an approved union shall, for the purpose of the prevention or settlement of an industrial dispute, have a right and shall be permitted by the employer to do all or any of the acts mentioned in sub-clauses (*i*), (*ii*) and (*iii*) of clause (*c*) of section 25.

32. The officers specified in rule 31 shall have a right and shall be permitted by the employer to hold discussions on the premises of the undertaking with the employees concerned who are members of the approved union :

Provided that—

(*a*) the union shall intimate in advance to the employer the name or names of the officer or officers authorised for the purpose and the name of the department or departments in which the members concerned are employed ; and

(*b*) the discussions shall be held in such manner as not to interfere with the working of the undertaking.

33. The officers of an approved union specified in rule 31 shall have a right to meet and discuss with an employer or any person appointed by him for the purpose the grievances of its members employed in his undertaking subject to the following conditions, namely :—

(*a*) the discussion shall ordinarily be held on two days in a week during such hours as may be fixed by agreement between the employer and the union except in urgent cases when it may be held on any day at any time by previous appointment ;

(*b*) the union shall ordinarily communicate in advance the nature of the grievances which it desires to discuss ;

(*c*) the name of the officer authorised in this behalf shall either be communicated to the employer in advance or such officer shall carry a letter of authority in Form I-B.

34. Any of the officers specified in rule 31 shall have a right and shall be permitted by the employer to inspect in any undertaking any place where any member of the union is employed provided he carries with him a letter of authority in Form I-C and informs the employer beforehand which place in the undertaking he desires to inspect.

35. (1) The following shall be the fees for the purposes of sub-section (*6*) of section 26 :—

Table of Maximum Fees for Legal Aid.

	Industrial Court.	Labour Court.
	Rs.	Rs.
(1) For each conference with legal adviser	40	20
(2) For drawing up an application, written statement, memorandum of appeal, or petition of more than 15 foolscap typed pages.	50	25
(3) For drawing up an application, written statement, memorandum of appeal, or petition of less than 15 foolscap typed pages.	30	15
(4) For appearance in Court (per day)	80	40
(5) For opinion of legal adviser in writing	60	30
(6) For appearance in Chamber matter or for appearance before the officer of the Court.	20	10
(7) Fees for retainer	30	30

(2) Fees in excess of those prescribed in sub-rule (1) may be given to senior counsels or legal practitioners of high standing in matters of importance or difficulty before the Industrial Court.

36. Any association of employers desiring recognition as an association of employers under the Act shall apply to the Registrar in Form J. On receipt of such application, which shall be in duplicate, the Registrar shall forward a copy of the application to the State Government with such remarks as he may deem necessary.

37. (*i*) Every association of employers which has been recognised by the State Government under section 27 shall notify to the Registrar of every change, which occurs in its name, Memorandum of Association or Constitution or membership within seven days of such change.

(*ii*) Any such change in the name of an association of employers shall be notified in the *Official Gazette*.

38. Any employer in an industry, not being a member of an association of employers connected with that industry, who has agreed to be represented in any proceeding under the Act by such association, shall send intimation in writing to that effect to the Registrar and shall send copies of such intimation to the Labour Officer for the local area, to the authority holding the proceeding and to the representative union for the industry, if any.

39. (1) Where more employers than one are affected or under any of the provisions of the Act deemed to be affected and no association of employers is under sub-section (*2*) of section 27 entitled to represent all of them, the representative determined in the following manner shall be entitled to act as their representative:—

(*a*) Where there is an association of employers and two-thirds or more of the employers who are not members of the association agree to be represented by the association, that association;

(*b*) Where there is an association of employers but less than two-thirds of the employers who are not members of the association are in favour of their being represented by the association, not more than five representatives elected from among all the employers at a meeting held by the Labour Officer for the purpose, provided that at least one of the representatives shall be from among the employers who have not agreed to be represented by the association;

(*c*) In all other cases, not more than five representatives elected by the employers at a meeting held by the Labour Officer for the purpose:

Provided that where the number of employers affected or deemed to be affected does not exceed five no election shall be held and all the employers concerned shall be entitled to act as the representative.

(*d*) Any vacancy in the representatives elected under clause (*b*) or (*c*) shall be filled by election at a meeting of the employers held by the Labour Officer for the purpose.

(2) The names of persons elected as representatives shall be communicated by the Labour Officer to the Registrar and the authority holding the proceeding.

40. (1) Where there is no Representative Union in respect of any industry in any local area the Labour Officer for the local area or any person deputed by him for the purpose shall hold meetings of the employees in each undertaking in the industry and each occupation therein at such place and time as he deems fit. At such meetings the employees may elect five representatives from among themselves.

(2) Where an election has been held under sub-section (*1*) of section 28, within two years from the date on which such election is held and within each succeeding two years thereafter the Labour Officer or any person deputed by him for the purpose shall hold meetings of the employees for the purpose of electing fresh representatives from among themselves.

(3) After the election of the representative of employees the Labour Officer shall intimate the names of the persons elected to the employer concerned. Copies of such intimation shall be sent to the Registrar, the Chief Conciliator and the Conciliator for the industry in the local area.

41. Subject to the provisions of sub-section (*4*) of section 28, the persons elected under rule 40 shall function as the representative of employees until such time as fresh elections are held by the Labour Officer and the names of the persons so elected are communicated by him to the employer concerned.

42. Copies of the intimation referred to in sub-rule (3) of rule 40 shall be affixed by the employer prominently outside the time-keepers' office and at the entrance through which the majority of the employees enter the undertaking.

43. (1) The employees in an occupation or undertaking desiring to recall a representative of employees shall send a requisition in writing to the Labour Officer for the local area. Such requisition shall be signed by at least twenty per cent. of the employees in the occupation or undertaking as the case may be and shall state the reasons for the recall.

(2) On receipt of such a requisition the Labour Officer shall as soon as may be hold a meeting of the employees in the occupation or undertaking as the case may be, and explain to them the object of the meeting. If the majority of the employees present at the meeting decides to recall the representative or representatives mentioned in the requisition the person or persons so recalled shall be deemed to have ceased to represent the employees concerned.

(3) The Labour Officer shall intimate to the employer concerned, the Chief Conciliator for the industry in the local area and the Registrar the name or names of the persons who have been so recalled.

44. Any vacancy in the representatives elected under sub-section (*1*) or (*3*) of section 28 shall be filled by election in the manner prescribed in rule 40 :

Provided that when the vacancy is caused by a recall under sub-section (*4*) of section 28 the Labour Officer may call upon the same meeting as the one called for the purpose of recalling to elect fresh representative or representatives as the case may be in place of the person or persons recalled.

45. Employees desiring to authorise under clause (*iii*) of section 30 any Qualified or Primary Union in the industry in which they are employed shall do so through their elected representatives who shall inform in writing to that effect the employer concerned, the Registrar, the Conciliator for the industry in the local area and the Labour Officer for the local area :

Provided that where there are no elected representatives of the employees concerned such authority and intimation shall be given through the employees, not exceeding five, selected by them for the purpose.

46. Where the Labour Officer is the representative of employees, the Labour Officer, shall, before entering into any agreement under section 44 or settlement under section 58, place the terms of such agreement or settlement before a meeting of the employees concerned. Such meeting shall be convened by the Labour Officer or any person deputed by him for the purpose at such place and time as the Labour Officer may decide and in such manner as he deems fit. If the majority of the employees present at the meeting accept the terms of agreement or settlement all the employees affected shall be deemed to have accepted the terms of such agreement or settlement.

47. (1) Where in any proceeding the persons entitled to appear or act under clause (*v*) of section 30 are more than five the Labour Officer or any person deputed by him for the purpose shall hold a meeting of such persons at such place and time as he deems fit. The person elected at the meeting shall be entitled to appear or act as the representative of employees in that proceeding and their names shall

be communicated by the Labour Officer to the employers and association of employers concerned, the Chief Conciliator, the Registrar and the authority holding the proceeding.

(2) The number of persons to be elected under sub-rule (1) shall be determined in the following manner :—

Number of persons entitled to act under clause (*v*) of section 30.	Number of persons to be elected to act instead.
Less than 15	5
15 to 50	9
51 to 100	13
101 to 200	17
201 to 400	21
401 and above	25

48. Within six weeks of the date of the application of the Act or any provisions thereof to any industry in any local area, and in the case of an undertaking started after the application of the Act or any provisions thereof to such industry within six months of the starting of the undertaking, every employer in the industry concerned shall forward by registered letter to the Commissioner of Labour, Bombay, three copies of the draft standing orders which he proposes to adopt for regulating the relations between him and his employees :

Provided that where an employer, who is a member of an association of employers, notifies the Commissioner of Labour in writing that he has agreed to the association submitting such standing orders on his behalf and the association submits the standing orders within the period specified in sub-section (1) of section 35 he shall be deemed to have complied with the provisions of that sub-section.

49. (1) The Commissioner of Labour shall forward a copy of the draft standing orders to the representative of employees of the undertaking concerned and to such other interests concerned in the industry as he may deem fit to consult and ask them to send their views thereon within 30 days of the date on which the copy of such orders was forwarded to them.

(2) On receipt of the views of the representative of employees and the interests concerned or on the expiry of the period of 30 days of the date of despatch of the draft standing orders whichever is earlier, the Commissioner of Labour shall call a conference of the representatives of employees and employers and such other interests in the industry as may have been addressed by him under sub-rule (1) for consultation and then settle the standing orders finally.

50. (1) The Commissioner of Labour after he has settled the standing orders, shall forward a copy of such standing orders to the Registrar, and shall also send copies of the same to the Labour Officer for the local area, the employer or the association of employers as the case may be, the representative of employees concerned, the Industrial Court and the Labour Court concerned.

(2) The Registrar shall, as soon as the standing orders have been recorded, intimate to the employer or the association of employers as the case may be and to the representative of employees concerned the date on which the standing orders were recorded.

(3) After the expiry of a period of 30 days from the date of their coming into operation the employer concerned shall, unless an appeal has been filed under sub-section (1) of section 36, print the standing orders settled and forwarded to him by the Commissioner of Labour in English and also in the principal regional language of the local area in which the undertaking of such employer is situated :

Provided that in undertakings where more than twenty per cent. of the total number of employees employed are Mussalmans such standing orders shall also be printed in Urdu.

(4) Where an appeal has been filed under sub-section (1) of section 36 the standing orders as settled by the Industrial Court shall be printed by the employer in the same manner as prescribed by sub-rule (3).

(5) Every set of standing orders printed as required by sub-rule (3) or (4) shall be posted by the employer concerned prominently on a special board to be maintained for the purpose outside the time-keeper's office or at the entrance through which the majority of the employees enter the undertaking and also in all the departments where the employees concerned are working.

51. Any employer intending to effect any change in respect of an industrial matter mentioned in Schedule II shall give notice of such intention to the representative of employees in Form K.

52. Any employee who desires a change in respect of an industrial matter not specified in Schedule I or III shall give notice to the employer through the representative of employees in Form L.

53. (1) Any employee or a Representative Union desiring a change in respect of (*i*) any order passed by the employer concerned under Standing Orders or (*ii*) any industrial matter arising out of the application or interpretation of Standing Orders or (*iii*) an industrial matter specified in Schedule III shall make an application in writing to the employer where such application is made by an employee it may be made to the employer direct or through the Labour Officer for the local area or the representative of employees concerned. A copy of the application shall be forwarded to the Commissioner of Labour and in cases where such application is not made through the Labour Officer for the local area to that officer.

(2) Where an application has been made by an employee under sub-rule (1) the employer and the employee may arrive at an agreement within fifteen days of the receipt of the application by the employer or within such further period as may be mutually fixed by the employer and the employee or the Labour Officer for the local area or the representative of employees as the case may be.

(3) Where an application has been made by a Representative Union under sub-rule (1), the employer and the Representative Union may arrive at an agreement within fifteen days of the receipt of the application by the employer or within such further period as may be mutually agreed upon by the parties.

54. The agreement referred to in sub-section (1) of section 44 shall be sent to the Registrar by registered letter and to the other officers specified therein by ordinary post.

55. (1) The Joint Committee shall consist of ten members of whom five shall be nominated by the registered union from among the employees in the undertaking or occupation concerned and five appointed by the employer concerned.

(2) Within 30 days of the decision to constitute a Joint Committee for an undertaking or occupation and every 12 months thereafter the employer and the registered union shall appoint or nominate persons to represent them on the committee.

(3) Before making such nominations the registered union shall call a meeting and consult the employees of the undertaking or occupation concerned as the case may be.

55-A. A copy of an order made by the State Government under sub-section (*1*) of section 49 shall be sent to the union and the employer concerned by registered post.

56. In the event of a member of the Joint Committee ceasing to be employed in the undertaking or occupation or retiring or ceasing in any other way to be a member of such a Committee, the vacancy shall be filled by nomination in the manner prescribed in rule 55 by the registered union or appointment by the employer according as the person who has ceased to be a member was nominated by the union or appointed by the employer.

57. (1) The Chairman of a Joint Committee shall be appointed by the members of the Committee from among themselves at its first meeting which will be convened by the employer.

(2) If the members cannot agree upon the person to be appointed as Chairman the employer and the registered union which nominated the members of the Joint Committee shall be entitled to appoint by agreement the Chairman from among the members.

(3) Failing agreement between the employer and the union the Chairman shall be appointed by the employer and the union respectively in rotation for a period of six months.

58. The Chairman who shall convene and preside over the meetings of the Joint Committee shall circulate the agenda of the meeting to the members along with the notice of the meeting except in the case of a special meeting at least 48 hours before the meeting. He shall cause the minutes of every meeting recorded and get them confirmed at the next meeting. He shall also communicate, as required by sub-section (*2*) of section 51, the decisions of the Joint Committee to the registered union and the employer as well as the Labour Officer and the Commissioner of Labour.

59. (1) The Joint Committee may meet as often as convenient but not less than once a month. In cases of urgency, a special meeting of the Committee may be called by giving not less than six hours' notice at the request of either side. The meetings shall be held during working hours unless otherwise agreed upon between the two sides.

(2) No business other than that appearing on the agenda, shall be transacted at any meeting unless both sides agree to its introduction.

(3) The presence of three-fifths of the members from each side of the Committee shall be necessary to form a quorum.

(4) The decision of the Committee shall be arrived at by agreement between the two sides, but if no such agreement is possible the decision shall be taken by vote of the majority of the members present. The Chairman shall have one vote and in case of a tie a casting vote.

60. The agreement referred to in sub-section (*1*) of section 52 shall be sent to the Registrar by registered letter and to the Labour Officer by ordinary post.

61. The special intimation referred to in sub-section (*2*) of section 52 shall be sent in Form M.

62. The statement of the case referred to in section 54 shall be in Form N.

63. On receipt of the statement of the case under section 54 the Conciliator for the industry in the local area shall send an intimation to the parties to the dispute to appear before him at such time and place as may be specified in the intimation. He shall hold discussions, either jointly or separately, with the employer and the representative of employees at such places and at such times as he may deem fit, and shall endeavour to bring about a settlement of the dispute.

64. The memorandum of settlement referred to in sub-sections (*1*) and (*4A*) of section 58 shall be drawn up in Form O.

65. The memorandum of settlement drawn up under rule 64 shall be published by the Registrar in the *Official Gazette* and a copy of the same shall also be forwarded to the Deputy Commissioner of Labour Information.

66. The notice referred to in sub-section (*2*) of section 59 shall be served on the parties concerned by registered letter.

67. (1) When an industrial dispute has been referred to a Board under sub-section (*1*) of section 59, the Board shall at its first sitting call upon the parties in such order as it thinks fit to state their case.

(2) Any member of a Board may administer an oath.

68. A submission entered into by the parties under section 66 shall be published by the Registrar in the *Official Gazette* and a copy of the same shall be forwarded to the Deputy Commissioner of Labour Information, and also to the arbitrator, Labour Court and the Industrial Court as the case may be.

69. Where an industrial dispute between employees and employees has been referred by the State Government under sub-section (*1*) of section 72 to the arbitration of the Industrial Court or the Labour Court, the Industrial Court or the Labour Court as the case may be shall send a notice to the employers of such employees that they have been made parties to such arbitration.

70. On receipt of a copy of an award forwarded under sub-section (*1*) of section 74 the Registrar shall publish it in the *Official Gazette* and shall forward a copy of the same to the Deputy Commissioner of Labour Information.

71. Every application under sub-section (*1*) of section 79 shall be made in Form P and shall be forwarded to the Labour Court for the local area concerned by registered post or be presented to the Clerk of the Court or any other subordinate officer authorised by the Court in this behalf.

72. (1) The record of industrial matters referred to in clause (*a*) of section 111 shall be maintained by the Director of Labour Information, Bombay.

(2) For each industry, the record of such industrial matters shall be maintained separately by the Director.

72-A. (1) The State Government may, by special or general order notified in the *Official Gazette*, require any employer, or employers generally, in any industry to—

(*i*) maintain records of employment and data relating to plant, premises and manufacture and particulars relating to other industrial transactions and dealings likely to affect the matters specified in clause (*a*) of section 111 in such form or forms in the Appendix to these rules as it may consider appropriate for such industry, and

(*ii*) submit copies thereof to the Deputy Commissioner of Labour Information, Bombay, or such other officer as may be authorised in this behalf by the State Government at such times as may be specified in the order; and

(2) The Deputy Commissioner or the officer authorised under sub-rule (1) may then obtain similar data and particulars from any other person who, in his opinion, is competent to furnish such data and particulars.

72-B. (1) Before holding an inquiry under section 112, the officer authorised under the said section shall indicate to the employer concerned the particulars in respect of which the accuracy of the records maintained by him is to be verified; and the officer shall allow him or his representative to be present during the inquiry if the employer so desires.

(2) The officer holding the inquiry shall, on demand, give the person concerned a written receipt for any record or document produced by him if the officer considers it necessary to retain such record or document in his possession.

(3) Any record or document retained under sub-rule (2) shall be returned to the person concerned as soon as practicable and in any case on completion of inquiry.

73. Before proceeding to hold an inquiry under sub-section (*1*) of section 112 the officer authorised by the State Government shall give at least three clear days' intimation to the employer concerned. He shall also specify in the intimation the particular records which he desires to verify.

74. The notices under section 116 shall be given in Form Q and shall be sent by registered post.

75. (1) If in any proceeding before the Registrar, a Conciliator or a Board the authority holding the proceeding requires any information in connection with such proceeding in a particular form he may call upon the party concerned to submit such information in that form.

(2) A Conciliator or a member of a Board shall have power, after giving reasonable notice, to enter the place or places where the employees concerned are employed or the office of any union or the premises provided by an employer for the residence of his employees for the purpose of holding a proceeding under the Act.

76. Whenever any letter, notice, statement or intimation is required to be forwarded or sent under any of these rules by registered post to any person it shall be deemed to be sufficient compliance with these rules if such letter, notice, statement or intimation is delivered by hand and an acknowledgement in writing, by or on behalf of such person, is obtained in respect of such delivery.

FORM A.

[Section 12 (*a*) and Rule 10.]

Register of Representative Unions.

Name.	Address of head office.	Date of registration.	Registered for		Date of being entered in the approved list.	Remarks.
			Industry.	Local area.		

FORM B.

[Section 12 (*a*) and Rule 10.]

Register of Qualified Unions.

Name.	Address of head office.	Date of registration.	Registered for		Date of being entered in the approved list.	Remarks.
			Industry.	Local area.		

FORM C.

[Section 12 (*a*) and Rule 10.]

Register of Primary Unions.

Name.	Address of head office.	Date of registration.	Registered for		Date of being entered in the approved list.	Remarks.
			Industry.	Local area.		

FORM D.

[Section 12 (*b*) and Rule 11.)

List of Approved Unions.

Name of the union.	Address of head office.	Date of entering in the approved list.	Date of removal from the approved list.	Remarks.

FORM E.

(Sections 13 and 22 and Rules 12 and 27.)

Application for Registration of Union.

Name of Union Address

Dated the day of 19 .

To

The Registrar,
Bombay Industrial Relations Act,
Bombay.

Dear Sir,

I beg to inform you that at a $\frac{\text{general meeting of the members}}{\text{meeting of the executive}}$ of the above union which was held at on the day of 19 it was decided that the union should apply to you for registration as a $\frac{\text{Representative}}{\text{Qualified}}$ $\frac{}{\text{Primary}}$ Union for the industry in the local area of . A copy of the resolution signed by the $\frac{\text{President}}{\text{Chairman}}$ of the union is attached and I have to request that the union may be registered accordingly.

*2. The union is registered as a $\frac{\text{Representative}}{\text{Qualified}}$ $\frac{}{\text{Primary}}$ Union for the industry in the local $\frac{\text{area}}{\text{areas}}$ of under certificate No. dated

3. The union was registered under the Indian Trade Unions Act, 1926, on the day of 19 under certificate No. issued by the Registrar of Trade Unions for the State of Bombay.

4. The union has members $\frac{\text{in the}}{\ddagger}$ $\frac{\text{industry}}{\text{in the industry}}$ in the local area of , and represents per cent. of the total number of employees employed in the $\frac{\text{industry}\dagger}{\ddagger}$ in that local area.

5. A copy of the constitution of the union is attached.

6. The address of the Head Office of the union to which all communications and notices may be addressed is

Yours faithfully,

General Secretary/Secretary.

*To be struck off in the case of unions which have not been previously registered for any local area.
†Here insert the name of the industry.
‡Here insert the name of the undertaking.

FORM F.

(Section 14 and Rule 14.)

BOMBAY INDUSTRIAL RELATIONS ACT, 1946.

Certificate of Registration.

Name of Union—

Registration Number—

OFFICE OF THE REGISTRAR,
Bombay Industrial Relations Act,
Bombay,

It is hereby certified that the Union has been registered under the Bombay Industrial Relations Act, 1946, this day of 19 as a union for the industry in the local area of

Registrar,
Bombay Industrial Relations Act.

FORM G.

(Section 17 and Rule 17.)

Application for re-registration of a Union.

Name of Union— Address—

Dated the day of 19 .

To

THE REGISTRAR,
Bombay Industrial Relations Act,
Bombay.

Dear Sir,

I beg to inform you that at a general meeting of the members / meeting of the executive of the above Union which was held at on the day of 19 it was decided that the union whose registration as a Representative/ Qualified/Primary Union was cancelled on the day of 19

should apply to you for re-registration as a Representative/Qualified/Primary Union for *industry in the local area of under section 17 of the Bombay Industrial Relations Act, 1946. A copy of the resolution signed by the President/Chairman of the union is attached and I have to request that the union may be re-registered accordingly.

2. The union was registered under the Indian Trade Unions Act, 1926, on the day of 19 under Certificate No. issued by the Registrar of Trade Unions for the State of Bombay.

3. The union has members in the *†industry/in the industry in the local area of , and represents per cent. of the total number of employees employed in the *†industry in that local area.

4. A copy of the constitution of the union is attached.

5. The address of the head office of the union to which all communications and notices may be addressed is

Yours faithfully,

General Secretary/Secretary.

* Here insert the name of the industry.

† Here insert the name of the undertaking.

FORM H.

[Section 23 (*1*) and Rule 28.]

Application for being entered in the approved list.

Name of Union— Address—

Dated the day of 19 .

To

THE REGISTRAR,
Bombay Industrial Relations Act,
Bombay.

Dear Sir,

I beg to state that at a general meeting of the members/meeting of the executive of the above union which was held at on the day of 19 it was decided that the union should apply to you for being entered in the approved list of unions under section 23 of the Bombay Industrial Relations Act, 1946. A copy of the resolution signed by the President/Chairman of this

union is attached and the union may be entered in the approved list for the *industry in the local area of

2. The union was registered under the Indian Trade Unions Act, 1926, on the day of 19 under Certificate No. issued by the Registrar of Trade Unions for the State of Bombay.

3. The union has members in the *industry in the local area of

4. The constitution of the union provides for the matters mentioned in clauses (*i*) to (*vi*) of sub-section (*1*) of section 23 of the Bombay Industrial Relations Act, 1946. A copy of the constitution of the union is attached.

†5. The union is registered as a Representative/Qualified/Primary union under the Bombay Industrial Relations Act, 1946.

6. The address of the head office of the union to which all communications and notices may be addressed is

Yours faithfully,

General Secretary/Secretary.

*Here insert the name of the industry. †To be struck off in the case of a union not so registered.

FORM I-A.

[Rule 29 (*b*).]

Letter of Authority.

Date

Mr. who is of the Union, which is an approved union under the Bombay Industrial Relations Act, 1946, is authorised by the Union to collect sums payable by members to the Union on the premises of the following undertaking/undertakings:—

1.

2.

3.

4.

General Secretary/Secretary.

FORM I-B.

[Rule 33 (c).]

Letter of Authority.

Date

Mr. who is
of the Union, which is an approved union under the Bombay Industrial Relations Act, 1946, is authorised by the Union to meet and discuss with the employer/employers of the following undertaking/undertakings or any person appointed for the purpose the grievances of its members :—

1.

2.

3.

4.

General Secretary/Secretary.

FORM I-C.

[Rule 34.]

Letter of Authority.

Date

Mr. who is
of the Union, which is an approved union under the Bombay Industrial Relations Act 1946, is authorised by the Union to visit the*
to inspect the† where
a member/members of the Union is/are employed.

General Secretary/Secretary.

*Here insert the name of the undertaking.
†Here indicate the place to be inspected.

FORM J.

(Section 27 and Rule 36.)

Application for recognition of Association of Employers.

Name of Association Address

Dated the day of 19 .

To

THE REGISTRAR,

Bombay Industrial Relations Act,

Bombay.

Dear Sir,

I beg to inform you that at a meeting of the * Managing Committee of this Association which was held at on the day of 19 it was decided that the Association should apply to Government for recognition as an association of employers for the †industry for the local $\frac{\text{area}}{\text{areas}}$ of for the purposes of the Bombay Industrial Relations Act, 1946.

2. The Association has for one of its objects the regulation of the conditions of employment in the industry conducted or carried on by its members. The names of the members in the industry in the local $\frac{\text{area}}{\text{areas}}$ for which the application is made together with their addresses are given in the Annex. attached to this application.

3. I enclose a copy of the Constitution/Memorandum of Association of the Association.

Yours faithfully,

Secretary.

*or the body by whatever name called, to which the management of the affairs of the Association is entrusted.

†Here insert the name of the industry.

ANNEX.

List of members of the Association.

Name of employer.	Address.	Name of the undertaking.	Address of the undertaking.
1	2	3	4

FORM K.

[Section 42 (*1*) and Rule 51.]

Notice of change to be given by an employer.

Name of employer Address

Dated the day of 19 .

To

(The representative of employees)

Dear Sir/Madam,

In accordance with the provisions of sub-section (*1*) of section 42 of the Bombay Industrial Relations Act, 1946, $\frac{\text{I}}{\text{we}}$ beg to inform you that it is $\frac{\text{my}}{\text{our}}$ intention to effect the $\frac{\text{change}}{\text{changes}}$ specified in the Annex. to this letter.

Yours faithfully,

* Here insert the position which the person who signs this letter holds with the employer issuing this letter.

ANNEX.

Statement of the case.

FORM L.

[Section 42 (*2*) and Rule 52.]

Notice of change to be given by employee to employer.

Name of the representative of employees

Address

Dated the day of 19 .

To

(The name of the employer)

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (*2*) of section 42 of the Bombay Industrial Relations Act, 1946, $\frac{\text{I}}{\text{we}}$ hereby beg to give you notice that $\frac{\text{I}}{\text{we}}$ desire a change/changes specified in the Annex to this letter.

Yours faithfully,

Representative of employees.

ANNE

Statement of the case.

FORM M.

[Section 52 (*2*) and Rule 61.]

Special intimation to the Conciliator.

Name of the employer / registered union

Address Date

The Conciliator for the industry for the local area of

Dear Sir,

I / We beg to inform you that the change mentioned in Annex. I, being a change in respect of a matter not specified in Schedule I or III of the Act, was proposed in the Joint Committee but no agreement has been arrived at in respect thereof. I / We desire that the change as proposed in Annex. I / now modified and shown in Annex. II should be made.

2. A full statement of the case is given in Annex. III.

3. The number of employees likely to be affected by the dispute is

Yours faithfully,

Annex. I. Change proposed in the Joint Committee.

Annex. II. Change as modified.

Annex. III. Full statement of the case.

FORM N.

[Section 54 (*1*) and rule 62.]

Report of industrial dispute.

Name of the employer
Name of the representative of employees

Address

Dated the day of 19 .

To

The Conciliator for the local area for the industry concerned.
The Chief Conciliator, Bombay Industrial Relations Act, Bombay.
The Registrar, Bombay Industrial Relations Act, Bombay.

Dear Sir,

In continuation of the copy of the notice which I / we forwarded to you on the

day of 19 $\frac{I}{we}$ beg to inform you that it has not been possible to reach an agreement with the $\frac{\text{representative of employees}}{\text{(the name of the employer concerned)}}$ and that $\frac{I}{we}$ still desire that the change/changes proposed by that notice should be effected.

2. A full statement of the case is given in the Annexure.

3. The number of employees likely to be affected by the dispute is

Yours faithfully,

*

Representative of employees.

*Here insert the position which the person who signs this letter holds with the employer or association of employers.

Annex.

Full statement of the case.

FORM O.

[Sections 58 (*1*) and (*4-A*) and Rule 64.]

Memorandum of Settlement.

(1) Representing Employers :

(2) Representing Employees :

Short recital of the case.

Terms of Settlement.

Signatures of the parties.

Signature of the Conciliator.

FORM P.

[Section 79 (2) and Rule 71.]

Application under section 79 (1).

[Except in the case of special application under sub-section (3) of section 52.]

In the Labour Court at.....

Application No. of 19 .

Name of the employer / registered union / employee / Labour Officer ... Applicant;

Postal address :

versus

Name of the employer / registered union / employee / Labour Officer ... Opponent.

Postal address :

In the matter of _____

_____

_____

The applicant respectfully submits :

(1) That

(2) That

(3) That

The applicant, therefore, prays that the Court may be pleased to decide—

(1)

(2)

(3)

The applicant begs leave to amend or add to or make alterations in the application if and when necessary.

Dated

Signature or thumb impression of applicant.

The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information.

This verification is signed at on

Signature or thumb impression of applicant.

FORM Q.

[Section 116 (*1*) and Rule 74.]

Notice of termination of $\frac{\text{Agreement}}{\text{Settlement}}$ / *Award*

To

Date

Dear Sir/Sirs,

$\frac{\text{I}}{\text{We}}$ hereby give you notice that $\frac{\text{I}}{\text{We}}$ propose to terminate the $\frac{\text{Agreement}}{\text{Settlement}}$ / Award dated . regarding on the expiry of two months from the date of the notice.

Yours faithfully,

*

*Here insert the position which the person who signs this letter holds with the employer or name or names of the representative of employees as the case may be.

APPENDIX.

(*See* Rule 72-A.)

FORM I.

(Working, Reduction and Addition of Departments, Shifts and Workers.)

Name and Address of the undertaking :
Year and month :

PART I.

Normal Working.

1.	Names of departments	...
2.	Number of shifts :—	
	(*a*) departments having only one.	
	(*b*) departments having two.	
	(*c*) departments having three.	
3.	Starting times of shifts	...
4.	Closing times of shifts	...
5.	Rest interval in each shift	...

PART II.

Actual Working.

6. Departments closed (give dates and reasons).

7. Departments reopened or newly started (give dates and reasons).

8. Number of operatives affected by 6 above.

9. Number of operatives affected by 7 above.

10. Shifts closed or partially closed (specify departments, sections, dates and reasons).

11. Shifts reopened or partially reopened, or newly started (specify departments, sections, dates and reasons).

12. Number of operatives affected by 10 above.

13. Number of operatives affected by 11 above.

PART III.

14. Operatives permanently or semi-permanently reduced (specify departments, sections, shifts and reasons).

15. Operatives permanently or semi-permanently added (specify departments, sections, shifts, and reasons).

Date

(Signature)

(Designation)

Note.—For the purposes of this Form operative means an employee other than a clerk.

FORM II.

(*Stoppages.*)

Month : Year :

Name and Address of the Undertaking :

Department(s) affected.	Dates (inclusive).		Number of working days in the period covered by column 3 read with column 2	Reasons.
	From	To		
1	2	3	4	5

Number of operatives affected.*			(Increase (+) or decreased (—) in the number of operatives affected as shown in columns 6 and 7 and date on which it occurred (according to shifts).†	Compensation paid.		Number of operatives	Operatives played off.
Directly.	Indirectly.	Total.		Number of operatives receiving.	Amount.		Reasons.
6	7	8	9	10	11	12	13

(Signature)

Date (Designation)

Note.—For the purpose of this Form operative means an employee other than a clerk.

*This information should relate to the first day of the stoppage.

† Give variation if any in the numbers recorded in columns 6 and 7 and specify the dates of these variations.

FORM III.

(*Attendance and Absenteeism.*)

For the Fortnight ending Saturday the .....

Name and Address of the Undertaking :

Total number of operatives by departments and shifts.	Total number of working days for the fortnight by departments and shifts.	Total number of holidays during the fortnight (including Sundays).	Number of operatives on leave of any kind including leave granted retrospectively.	Total number of leave days during the fortnight (excluding Sundays and Holidays).*	Daily muster of Attendance and Absenteeism.		
					Date.	Attendance.	
						Permanent operatives.	Badlis given work.
1	2	3	4	5	6	7	8

Daily Muster of Attendance and Absenteeism—*contd.*

Attendance—*contd.*				Leave.		
Badlis not given work.	Temporary operatives.	Probationers.	Apprentices.	Permanent operatives.	Badlis.	Temporary operatives.
9	10	11	12	13	14	15

Daily Muster of Attendance and Absenteeism—*concld.*

Leave—*contd.*		Absent.				
Probationers.	Apprentices.	Permanent operatives.	Badlis.	Temporary operatives.	Probationers.	Apprentices.
16	17	18	19	20	21	22

Date

(Signature)

(Designation)

**Note 1.*—In column 5 enter the total number of days for which each operative was on leave during the fortnight.

Note 2.—For the purpose of this Form operative means an employee other than a clerk

FORM IV.

(*Employment.*)

Name and Address of the Undertaking :

Year and Month.	Total number of operatives on the muster roll.	Total number of operatives required to run the undertaking at full capacity.*	Total number of operatives at the beginning of the month (1st day) according to shifts			Total number of operatives discontinued.	Number of operatives recruited.	Number of operatives reinstated.	Total number of operatives at the end of the month (last-day) according to shifts.		
			1st	2nd	3rd				1st	2nd	3rd
1	2	3	4			5	6	7	8		

Date

(Signature)
(Designation)

Note 1.—For the purpose of this Form operative means an employee other than a clerk.

**Note 2.*—Here enter the number of operative required for optimum production—irrespective of availability of material, trade reasons and other circumstances—that the undertaking is capable of.

FORM V.

(*Wages.*)

Name and Address of the Undertaking : Month : Year :

Total number of operatives on muster-roll.	Details and Dates of Wage Payments.						Total Wage Bill for the month (total of columns 4, 5, 6 and 7).	Remarks.
	Dates of pay-days.	Number of employees who actually received wages.	Total wages paid in		Wages due but not paid or not claimed.			
			Cash.	Otherwise than in cash —(grain, cloth, accommodation etc.). State kind and value.	Cash.	Otherwise than in cash.		
1	2	3	4	5	6	7	8	9

Date

(Signature)
(Designation)

Note.—In columns 5 and 7 if accurate figures are not available, enter approximate ones, Method of calcuation adopted should be indicated in column 9.

FORM VI.

(*Welfare*)

Month : Year :

Name and Address of the Undertaking :

I. *Medical attention*—

(*a*) Average daily attendance at dispensary :

(*b*) Medical Officer—

(*i*) Full time :

(*ii*) Part time :

(*iii*) Total number of hours during the month put in by the Medical Officer at dispensary :

(*c*) Whether fees charged : if so mention rates and total amount collected during the month :

(*d*) Details of any industrial health enquiries conducted by the Medical Officer : (These may be given on a separate sheet attached to this Form).

II. *Safety measures* :—

Introduced* Discontinued* *Give Details.

III. *Amenities*—

	Working order.	Actual use.
1. (*a*) Drinking water taps ..		
(*b*) Washing water taps ..		
(*c*) Dining sheds ...		
(*d*) Rest sheds ..		
(*e*) Latrine seats—		
(*i*) For males ..		
(*ii*) For females ..		
(*f*) Urinals—		
(*i*) For males ..		
(*ii*) For females ..		

2. Aggregate daily attendance at creche :

Staff attending to your creche—

(*i*) (*ii*) (*iii*) (*iv*) (*v*)

3. Aggregate daily attendance at your school (if any) :

Total teaching staff :

4. Library (if any)—

(*i*) Total number of books :

(*ii*) Number of books borrowed during month :

(*iii*) Number of periodicals available :

(*a*) Dailies : (*b*) Weeklies ; (*c*) Monthlies :

5. Other amenities (Give details) :

Date

Signature.

Designation.

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FORM VII.

(*Canteens.*)

Year.

Name and Address of the Undertaking :

1. Total floor area ..

2. Kitchen area ..

3. Total seating capacity ..

4. Number of chairs ..

5. Number of benches ..

6. Average number of persons using the canteen each month.

7. List of eatables and drinks normally supplied (mention amount charged for each)—

(*a*)
(*b*)
(*c*)
(*d*)
(*e*)
(*f*)
(*g*)
(*h*)
(*i*)

8. Do you supply regular meals ? If so, indicate the dishes below :—

(*a*)
(*b*)
(*c*)
(*d*)
(*e*)

9. Cost of a regular meal ..

10. Number of meals that can be supplied by your canteen per hour.

Date

(Signature)

(Designation)

FORM VIII.

(*Premises.*)

Name and Address of the Undertaking :

Quarter ending Year.

I. Total area covered by your industrial premises :

II. Total area occupied by factory structures :

III. Total area not built upon :

IV. Total area occupied by—

(*a*) Dispensary.

(*b*) Canteen.

(*c*) Wash-places.

(*d*) Toilet facilities.

*(*e*) Library and Reading Room.

*(*f*) School.

(*g*) Creche.

(*h*) Any other amenities (specify).

V. Housing : (provided by employer/s)—

(*a*) Number of chawls and distance from factory.

(*b*) Whether electricity provided :
if so, what extra rent or charge, if any is levied—
(*i*) per one-room tenement.
(*ii*) per two-room tenement.

(*c*) Sanitary arrangements :
type of latrines provided.

(*d*) Total area of all accommodation.

(*e*) Number of 2-room tenements and area thereof.

(*f*) Number of 1-room tenements and area thereof.

(*g*) Rent per month—
(*i*) per single room.
(*ii*) per two-room.

(*h*) Total number of persons occupying 2-room tenements.

(*i*) Total number of persons occupying 1-room tenements.

(*j*) Number of outsiders other than your own workers residing in your chawls.

(*k*) Number of

	Latrines.	Urinals.	Water taps.	Washing places.
(*i*) Single room tenements ...			/	
(*ii*) Two-room tenements ...				per floor

Date (Signature)

(Designation)

*If any.

FORM IX.

(*Rationalisation, Usages, Rules.*)

Name and Address of the Undertaking :

Quarter ending Year.

During the quarter under reference—

(1) Have you introduced any rationalisation or efficiency methods in the undertaking ? If so, give details.

(2) Have any customary concessions or privileges been withdrawn or any changes in usages been introduced in the undertaking ? If so, give details.

(3) Have any new rules of discipline been introduced or any alteration in existing rules made : If so, give details.

Signature

Date Designation

FORM X.

(*Machinery*).

Name and Address of the Undertaking : Year.

Departments.	Type of machine (Give full details, e.g., group or individual drive, casablanca, 3-roller or 4-roller warp or weft, number of heads, etc.).	Number.	Year of manufacture.	Remarks.
1	2	3	4	5
Mixing-room ...				
Blow-room ...				
Card-room ...				
Drawing Frames ...				
Slubbing Inter and Roving ...				
Ring Frame and/or Mules ...				
Winding ...				
Warping ...				
Sizing ...				
Drawing-in ...				
Looms* ;				
(*a*) plain ...				
(*b*) drop-box ...				
(*c*) dobby ...				
(*d*) jacquard ...				

*State width.

Department.	Type of machine (Give full details, e.g., group or individual drive, casablanca, 3-roller or 4-roller warp or weft, number of heads, etc.)	Number	Year of manufacture.	Remarks.
1	2	3	4	5
Warehouse ...				
(*a*) folding ...				
(*b*) stamping ...				
(*c*) calendering ...				
Finishing ...				
Dyeing ...				
Reeling ...				
Baling ...				

Signature

Date

Designation

FORM XI.

(*Machinery Production.*)

Name and address of the Undertaking :

Year

I

Department.	Number of Machines/Spindles working.	Number of Machines/ Spindles not working.	Reasons for remaining idle.	Remarks.
1	2	3	4	5
Mixing-room ...				
Blow-room ...				
Card-room ...				
Drawing frames ...				
Slubbing, Inter and Roving ...				
Ring frames and/or Mules. ...				
Winding ...				
Warping ...				
Sizing ...				
Drawing-in ...				
*Looms ...				
(*a*) plain ...				
(*b*) drop-box ..				
(*c*) dobby ...				
(*d*) jacquard ...				
Finishing ...				
Dyeing ...				
Reeling ...				

*State width of all looms idle.

II

Section.	Diameter of front rollers.	Speed of front rollers.	Speed of spindles.	Remarks.
1	2	3	4	5
Drawing frames ...			(Not applicable).	
Speed frames ...				
(*a*) Slubbing ...				
(*b*) inter ...				
(*c*) roving ...				
Ring frames and/or Mules ...				

III

Card-room.

Speed of doffer.	Speed of Cylinder.	Remarks.
1	2	3

IV

If any change has occurred during the year in any of the items specified in Form XI, give full details of each such change.

V

State the strength of the special cleaning staff, if any employed to clean your machines, and give brief details of their duties.

VI

How many looms per weaver ?

How many sides per sider ?

Signature

Date

Designation

FORM XII.

(*Production, transactions and dealings.*)

Name and address of the Undertaking :

A.—State—(1) Number of counts spun during the month :

(2) Varieties of counts spun during the month, in form below :—

	Varieties of counts spun.	Production (quantity).	Cost of production up to spindle point.	Cost of mixing per lb. up to spindle point.
(*a*) Warp ...				
(*b*) Weft ...				

B.—State—

(*a*) total poundage of yarn sold in the open market for :—

(*i*) Grey.

(*ii*) Bleached.

(*iii*) Dyed.

(*b*) total poundage consumed in the Weaving Department.

Cost per lb. of dyed and bleached yarn in the each count produced.

C.—State the varieties of cloth produced, the total poundage of each variety and the cost of production per lb. in the form shown below :—

Varieties of cloth.	Amount of production in lbs.	Cost of production per lb. up to baling.

D.—Have you a system of selling your production through guaranteed brokers for (*a*) yarn and (*b*) cloth ? If so, please give their names and addresses.

E.—(*i*) What is your system in making purchases of—

(*a*) Machinery.

(*b*) Cotton.

(*c*) Stores.

(*ii*) Is there any commission or rebate received against any of these purchases ? If so, please state the amounts received during the month and the manner in which it is credited.

F—State :

(*a*) total waste produced from Blow room to spinning.

(*b*) total waste produced from winding to weaving.

(*c*) total fents and rags produced in weaving, dyeing and finishing.

(*d*) total weight of all varieties of waste produced.

G—Particulars of Managing Agency terms.

H—Details and percentages of overhead charges which are not included in the cost of production.

Signature

Date Designation

FORM XIII.

Page No.

List of Permanent* / Badli / Temporary. Operatives employed in the.....Mill

in the month of..... 19 . Occupation.....

Serial No.	Name of Worker.	Age.	Sub-Occupation.	Ticket No.	Shift in.	Remarks. (Not to be filled by Mills)	Master Register No. (Not to be filled by Mills)
1	2	3	4	5	6	7	8

* Separate statement should be submitted for each category of workers.

FORM XIV.

List of Permanent* / Badli / Temporary Operatives in respect of changes in the rolls that have been effected.

Undertaking—

Name—

Address—

Details regarding changes for the Week / Fortnight / Month ending the 19 .

Page No.	Serial No.	Name of the Employee and Local Address.	Occupation and †Sub-occupation.	Ticket No.
1	2	3	4	5

Shift No. in month of.	Nature of change.‡	Date of change.	Service Certificates issued or not.	Remarks.
6	7	8	9	10

*Separate statement should be submitted for each category of workers.
†Occupations should be shown in symbols.
‡Use following symbols :—
Discharged : T. Dismissed : D. Left of his own accord : L.
Retrenched : R. Sent away : S. Died : Died.

FORM XV.

(Anticipated closure.)

(1) Name and address of the undertaking.

(2) Number of shifts for which each department is being worked at present together with the number of employees.

(3) Stock of coal (in tons and cwts.)—(*i*) held on the date of report, (*ii*) average monthly consumption.

(4) Supply of electric power (state briefly whether the supply is adequate for running the usual number of shifts).

(5) Supply position of raw material (if there is shortage of any raw material, it should be specified clearly stating reasons for the shortage and the quantity required immediately to maintain continuous production).

(6) Stock of cotton in bales of 400 lbs.—(*i*) Held on the date of report, (*ii*) Average monthly consumption.

(7) Brief review of labour situation.

(8) Stocks of cloth in packed bales converted into full bales :—

(*i*) Held on the date of report—

(*a*) Sold but not delivered,

(*b*) Not sold,

(*c*) Total (*a*) plus (*b*).

(*ii*) Average monthly production in the last six months (in bales).

(9) Stocks of surplus yarn available for distribution held in full bales :—

(*i*) Held on the date of report—

(*a*) Sold but not delivered.

(*b*) Not sold,

(*c*) Total (*a*) plus (*b*).

(*ii*) Average monthly production in the last six months (in bales).

(10) Nature of total or partial closure contemplated.

(11) Date of the anticipated closure.

(12) Precise reasons for the anticipated closure.

(13) Extent to which working of the undertaking will be affected by the anticipated closure—

(*a*) (*i*) Total number of spindles,

(*ii*) Number of spindles likely to remain idle,

(*b*) (*i*) Total number of looms,

(*ii*) Number of looms likely to remain idle,

(*c*) Any other machinery or department likely to remain idle.

(14) Number of employees affected.

(15) Number of hours or days for which (*a*), (*b*) and (*c*) of item 14 are expected to remain idle.

(16) Number of working hours per day or number of working days for which the different teams of employees are expected to remain idle (state the number of employees in each case).

Date (Signature)

(Designation)

G. N., Lab. D., No. 1237/46, dated 17th January 1949 (B. G., Pt. IV-B, p. 64).

S. 123. Bombay Wage Board Rules, 1948.

Amended by G. N., Lab. D., No. 708/48, dated 22nd June 1949.
Amended by G. N., Lab. D., No. 708/48, dated 21st November 1949.

In exercise of the powers conferred by section 123 of the Bombay Industrial Relations Act, 1946 (Bom. XI of 1947), the Government of Bombay is pleased to make the following rules, namely :—

1. These rules may be called the Bombay Wage Board Rules, 1948.
2. In these rules, unless there is anything repugnant in the subject or context—

(*i*) "Act" means the Bombay Industrial Relations Act, 1946;
(*ii*) "Chairman" means a Chairman of a Wage Board;
(*iii*) "Chamber meeting" means a meeting of a Wage Board held in Chambers for arriving at a decision on an industrial matter or industrial disputes referred to it;
(*iv*) "Member" means a Member of a Wage Board;
(*v*) "Secretary" means a Secretary of a Wage Board;
(*vi*) "Section" means a Section of the Act;
(*vii*) "Sitting" means a sitting of a Wage Board held for the purpose of conducting enquiry into and for hearing any industrial matter or industrial dispute referred to it;
(*viii*) "Statement of claim" means a statement filed by or on behalf of a party on whose claim a reference arises;

(*ix*) "Written statement" means a statement filed by an opponent in reply to a statement of claim.

3. A Wage Board shall have an official seal in the form of a circular rubber stamp one and a half inches in diameter.

4. Subject to the provisions of section 86C, the State Government may by an order notified in the *Official Gazette* refer to a Wage Board for decision any industrial matter or dispute relating to leave with or without pay.

5. The sittings or Chamber meetings of a Wage Board shall be held at such time and place as the Chairman may fix.

6. (1) On receipt of a reference from the State Government, the Secretary shall, under the instructions of the Chairman, issue directions to the parties concerned for the preparation and filing of the required number of copies of statement of claim, written statement or such other statistical statements as may be deemed necessary or for the exchange of such statements among themselves, and communicate to them the dates for submission and exchange of such statements and for the hearing of the reference.

(2) The Secretary shall send copies of the directions issued under sub-rule (1) to the Members.

(3) The Chairman may convene a sitting or a Chamber meeting of the Wage Board before giving instructions for issuing directions under sub-rule (1).

7. At all sittings and Chamber meetings all the members of a Wage Board shall remain present but proceedings shall not be invalidated on account of the absence of any Member or Members if the Chairman is satisfied that for good and sufficient reasons such Member or Members could not remain present: provided, however, that no sittings or Chamber meetings shall be held in the absence of the Chairman or the entire group of Members representing employers or employees.

8. Any vacancy in a Wage Board shall be filled by the State Government in accordance with the provisions of section 86-B and the name of the person appointed to such vacancy shall be notified in the *Official Gazette*.

9. Subject to the provisions of section 33, in any proceedings before a Wage Board parties may appear by duly authorised legal practitioner or by an officer of the union which has a right to represent the party under section 30 or by the Government Labour Officer of the local area concerned or an officer of an employers' association, as the case may be.

10. If, without good cause shown, any party to the proceedings before a Wage Board fails to attend or to be represented at the proceedings, the Wage Board may proceed as if the party had duly attended or had been duly represented.

11. When in any matter it appears necessary that Government should be represented and heard on any point arising therein, the Wage Board shall give intimation of the matter to the Secretary to Government in the Labour Department.

12. The proceedings before a Wage Board shall be held in public: provided that the Wage Board may at any stage direct that any witnesses shall be examined or the proceedings shall be held *in camera*.

13. (1) A Wage Board may for the purpose of any reference made to it form a Committee or Committees for a local area or areas from among its Members and may co-opt on such Committee or Committees such other person or persons, representing employers and employees from such local area or areas as it deems necessary: provided that the number of persons representing employees and employers respectively on the Committee shall be equal.

(2) A Committee so formed shall make such enquiry as may be directed by the Wage Board and submit its report to the Wage Board.

14. On receipt of a report under sub-rule (2) of rule 13, the Wage Board shall after holding further hearing, if necessary, decide the matter.

15. All questions arising for any decision at any meeting of a Wage Board shall be decided by the majority vote of the Members present (including the Chairman). In the event of an equality of votes the Chairman shall also have a second or casting vote.

16. Every order or decision of a Wage Board shall be signed by all the Members of the Wage Board concerned and shall bear the official seal.

17. (1) A Wage Board shall, save in cases falling under section 86F, forward copies of any order or decision made by it to the parties concerned, the Commissioner of Labour, the Registrar and the Industrial Court.

(2) On receipt of a copy of such order or decision, the Registrar shall enter it in the register kept for the purpose and shall publish it in the *Official Gazette.*

18. The Chairman may correct any clerical mistake or error arising from an accidental slip or omission in any order or decision made by it.

19. The Chairman and Members of a Wage Board or any other person authorised in writing by the Chairman in this behalf may at any time during the pendency of any industrial matter or dispute before Wage Board enter any building, factory, workshop or other place or premises whatsoever and inspect the same or any work, machinery, appliance, or articles therein or interrogate any peson therein in respect of anything situated therein or any matter relating to the said industrial matter or dispute.

20. Minutes of the proceedings at the sittings and Chamber meetings shall be maintained by the Wage Board and shall form part of the record of the proceedings.

APPENDIX A.

The Industrial Court Regulations, 1947 (B. G., Pt. IV-B, p. 617).

S. 92, Industrial Court Regulations, 1947.

The following regulations have been made by the Industrial Court in exercise of the powers conferred under section 92 of the Bombay Industrial Relations Act, No. XI of 1947 :—

CHAPTER I.

General.

1. These regulations may be cited as "The Industrial Court Regulations, 1947", and shall come into force on the day the Bombay Industrial Relations Act (No. XI of 1947) comes into force by virtue of a notification issued by the State Government under section 2 (2) of the said Act.

2. (1) In these regulations unless the context otherwise requires—

(*a*) "*Act*" means the Bombay Industrial Relations Act (No. XI of 1947).

(*b*) "*Appeal*" means a Memorandum of Appeal filed by an appellant indicating the grounds of appeal and relief claimed against the decision or an order of a lower court or authority where such appeal is permissible under the Act.

(*c*) "*Application*" means any application made to the Court under the Act or these regulations.

(*d*) "*Court*" and "*This Court*" mean the Industrial Court as constituted under section 10 of the Act and includes President or Member thereof.

(*e*) "*Lower Court*" means a Labour Court as constituted under section 9 of the Act.

(*f*) "*Matter*" means any application, appeal, petition, reference or submission filed in or made to the Industrial Court under the provisions of the Act.

(*g*) "*Order*" means any order made by the Industrial Court in any proceedings before it other than an award.

(*h*) "*Party*" means the applicant, petitioner, appellant, opponent, respondent or any employer or employee concerned in any application, petition, appeal, submission or reference.

(*i*) "*Petition*" means any petition made to the Court under the Act or these regulations.

(*j*) "*Registrar*" means the Registrar of the Industrial Court.

(*k*) "*Registrar of Unions*" means the Registrar as defined in section 3 (*31*) of the Act and appointed under section 5 of the Act.

(*l*) "*Section*" means a section of the Act.

(*m*) "*Statement of Claim*" means a statement filed by or on behalf of a party on whose claim a submission or reference arises.

(*n*) "*Written Statement*" means a statement filed by an opponent in reply to a statement of claim or to an application or petition.

(2) Words and expressions not defined in these regulations shall have the same meanings assigned to them under the Act.

Chapter II.

Sittings, Benches and Vacations.

3. Subject to the provisions of section 92 (*2*) the President may constitute a Bench of one or more members to decide any of the matters filed in or referred to the Court and the Bench so constituted shall exercise the jurisdiction and the powers vested in the Court.

4. An application for review under section 37 shall ordinarily be disposed of by the same Bench which heard the original matter sought to be reviewed, provided, however, that if any member or members of the Bench which disposed of the original matter has or have ceased to be a member or members of the Court, it shall be disposed of by a Bench consisting of the same number of members as the Bench which made the order sought to be reviewed.

5. The Court may, with the consent of the parties, act notwithstanding any vacancy or absence of any member in any Bench constituted by the President to decide any matter after the commencement of proceedings and no act, proceeding or determination of the Court shall be called in question or invalidated by reason of any such vacancy or absence, provided such consent has been first obtained ; and provided, further that if any of the parties does not give such consent, the President may constitute another Bench to hear the matter *de novo*.

6. Any Bench of one or more members of the Court hearing a matter may refer it to a Full Bench of the Court, if in its opinion, it involves important questions of law or fact. The President may constitute a Full Bench of two or more members.

7. A Bench constituted under any of the regulations 3, 4, 5 and 6 may hold its sittings at such place or places as the President may direct.

8. The Court may, with the approval of the President, in any matter in which it appears expedient to do so, call in the aid of one or more assessors, and may settle the matter wholly or partially with the assistance of such assessor or assessors.

9. The assessor or assessors may be paid such remuneration as the Government may fix by a general or special order on the recommendation of the President having regard to the status, position and calling of such assessor or assessors.

10. The Court shall ordinarily sit on week days, except Saturdays, from 11 a.m. to 5 p.m. with lunch interval from 2 p.m. to 3 p.m., subject to such alterations as the presiding member may direct on any particular day or days.

11. Subject to such general or special order as the President may pass, the Court shall observe the following vacations :—

(1) The summer vacation for six weeks ordinarily commencing from the last of April and ending with the first week of June ;

(2) The October vacation for two weeks ordinarily commencing from the second week and ending with the third week of October.

12. The Court will be closed on (1) such holidays as are declared by Government under the Negotiable Instruments Act, and (2) Christmas holidays ordinarily commencing on 24th of December and ending with 2nd of January.

13. The dates of vacations and holidays shall be notified in the *Bombay Government Gazette.*

14. The President may appoint one or more members of the Court for hearing and disposal of urgent matters during vacations.

15. The dates of hearing during the vacations shall be fixed by the members appointed.

Chapter III.

Officers and Office hours.

16. The Registrar shall have the custody of the records of the Court and shall exercise such functions as are assigned to him by these Regulations or by the President.

17. The Registrar may with the permission of the President assign such function or functions to any of the officers or members of the office staff subordinate to him.

18. The office of the Court for the purpose of admitting any business shall be open ordinarily, except on Sundays and close holidays, on Monday to Friday from 10-30 a.m. to 6 p.m. but no work unless of an urgent nature shall be admitted after 4-30 p.m. On Saturdays the office shall remain open between 10-30 a.m. to 2-30 p.m. but no work unless of an urgent nature shall be admitted after 1 p.m.

19. During vacations and Christmas Holidays the office shall observe such hours as may be fixed by the President.

20. The Court shall have an official seal of its own, which shall be kept in the custody of the Registrar.

CHAPTER IV.

Appearance in Court.

21. Subject to the provisions of section 33, in any proceedings before the Court parties may appear in person or through any other person or by a duly authorised counsel, attorney, advocate, pleader, representative or by an officer of a representative union, qualified union, primary union or approved union or the Government Labour Officer of the local area concerned or by an officer of an employers' association, as the case may be.

22. Every person except a counsel authorised to appear under regulation 21 shall file a warrant of authority in Form 1 signed by the person authorising him.

CHAPTER V.

Applications to the Registrar.

23. Applications in the following matters shall be made to the Registrar by a praecipe in Form 2 or a letter addressed to him—

(*i*) for certified copies of documents ;

(*ii*) for extension of time to file a written statement, statement of claim, any other stratement or document ;

(*iii*) for issue of summonses to witnesses and notices for appearance in any matter filed in or referred to the Court ;

(*iv*) for inspection of documents filed in the Court ;

(*v*) for withdrawal of matters filed in the Court before these are placed for hearing on the board ;

(*vi*) for return of exhibits.

24. The Registrar may in his discretion make any order on such applications or may submit the same to the President or Member for orders.

CHAPTER VI.

Business in Chambers.

25. The following matters shall be disposed of by any Member in chamber :—

(*i*) petition for adding any parties to the appeal, application, submission, reference, etc.

(*ii*) petition for bail.

(*iii*) application for stay order ;

(*iv*) application for adjournment by consent of both the parties for any matter placed for hearing on the board ;

(*v*) applications for condoning delay in presenting appeals within the period of limitation prescribed ;

(*vi*) application under section 33 (*c*) for permission to appear in proceedings other than proceedings before a Labour Court or this Court ;

(*vii*) all other applications of a miscellaneous nature.

26. Any of the chamber matters may be decied either *ex parte* or after hearing the other side as the Member in chamber may think fit.

27. Where bail is granted, the person concerned shall execute a Bail Bond in Form 6.

CHAPTER VII.

Filing of Appeals, Applications, Petitions or Statements in Submissions and References.

28. (*i*) In any matter where the persons or the parties affected are numerous having the same interest, one or more of such parties may with the permission of the Court proceed or defend in such matter on behalf of or for the benefit of all persons so interested. The Court shall in such cases direct notice to be given to all such persons at the expense of the party filing the matter either by personal service or where from the number of parties or, any other cause such service is not reasonably practicable, by public advertisement and by causing the notice with its translation in the regional language or languages to be affixed by the party filing the matter at the entrance of the last known place of employment of such persons or parties. The person affixing the notice and putting up the advertisement shal file an affidavit in the Court of his having done so.

(*ii*) Any person on whose behalf the matter is filed or defended under sub-regulation (*i*) may apply to the Court to be joined as a party to such matter. The Court may grant such application if it is satisfied that his interests will be seriously affected to his prejudice if he is not joined as a party.

28-A. In any matter before the Court, the Court may, at any stage of the proceedings, either upon or without the application of any party, order that the name of any party or parties improperly joined be struck out and that the name of any party or parties whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and to settle all the questions involved in the dispute be added.

29. Every application, petition, appeal, written statement or statement of claim to be made to the Court under the Act or directed to be filed under these Regulations shall be drawn up in the relevant Forms 3, 4 or 5 prescribed in Schedule I, and four copies thereof shall be filed in the office or sent to the Registrar by registered post.

30. The memorandum of appeal shall be filed within the period of limitation prescribed in section 84 (*2*) on working days, during the business hours, specified in regulations 18 and 19.

31. The memorandum of appeal shall be accompanied by a certified copy of the order or decision appealed against.

32. Every application, petition or appeal shall be scrutinised by the Registrar and if it is in order shall be admitted to the file, entered in the register, and given the case number.

33. If the application, petition or appeal is not in order by reason of any formal defect, it shall be returned by the Registrar, for remedying the defect, if any, within a specified time.

34. If the Registrar thinks that any application, petition or appeal may be fixed for preliminary hearing, the Registrar may subject to such order as may be made by the President or by a Member send notice in Form 7 to the applicant, petitioner or appellant to appear before the Court at the time and place mentioned therein to show cause why the application, petition or appeal may not be summarily dismissed.

35. If any of the parties applies for determining certain matter on preliminary issues, the President or a member may proceed to determine such issues after issuing notice to the opposite party.

36. If the application or petition is not summarily dismissed the Registrar shall cause a notice in Form 8 to be given to the opponent directing him to file a written statement within a specified time.

37. After any appeal is filed in or any submission or reference is made to the Court, the Registrar shall cause a writ in Form 9 to be issued to the State Government, the Labour Court, the Civil or Criminal Court, the Commissioner of Labour, the Registrar of Unions, the Conciliator, or any other officer or authority concerned as the case may be and shall call for the original records and proceedings of the case.

38. As soon as any submission or reference is admitted to the file, the Registrar shall give notices in Forms 10, 11, 12 or 13 to the parties to file their statement of claim or written statement as the case may be within the time stated in the notice.

39. The statement of claim and the written statement referred to in regulation 38 shall be drawn up in Forms 4 and 5 respectively.

40. After all the statements required to be filed by the parties are received or after the expiry of the date for filing the statements, the matter shall be set down for hearing before a Bench constituted by the President, and the Registrar shall give notice thereof in Form 14 to the parties to appear before the Court at such time and place mentioned therein.

CHAPTER VIII.

Issue of Summonses, Notices, Other process, etc.

41. When in any matter it appears necessary that Government should be represented and heard on any point arising therein, the Court shall direct the Registrar to give intimation of the matter to the Chief Secretary to the Provincial Government in Form 15.

42. In any matter coming before the Court, where it appears on application of any of the parties or otherwise, that the presence of the Government Labour Officer of the local area concerned is necessary, a notice in Form 16 may be given to him requiring him or his deputy to attend the Court at such time and place as mentioned therein.

43. Every writ, summons, notice, warrant or other mandatory process and every order, award or certified copy of any document shall be signed by the Registrar with the day and year of signing and shall be sealed with the official seal of the Court.

44. The service of every writ, summons, notice, warrant or other mandatory process and of every order or award shall be effected either by hand delivery or through registered post or as provided in the Order V of the Civil Procedure Code, 1908, as may be expedient.

CHAPTER IX.

Procedure in the Court.

45. The Court shall call upon the parties in such order as it may think fit to state their case.

46. Each witness shall give his evidence on oath or on solemn affirmation as the Court may require, and shall give the following particulars, namely, (1) his name, (2) age, (3) occupation and (4) religion, if any.

47. The Court may accept, admit or call for any evidence at any stage and in any manner it thinks fit.

48. A memorandum of the substance of a witness' testimony shall be made in such manner as the Court may order.

49. The Court may require any fact to be proved by affidavits.

50. In any matter, on the application of either party or otherwise the Court may may direct the issue of a commission in Form 17 for recording oral evidence or for conducting any local inquiry or investigation.

51. The Court may direct any party to pay such costs of the commission as it considers reasonable.

52. Where a party desires to rely upon any statistical statement the party shall supply one copy each to the members of the Bench, one copy to the office of the Court and one copy to each representative appearing for the other side.

53. Where statistical statements are to be filed as exhibits, on each such statements shall be put the following particulars, namely (1) the source from which the figures have been compiled and (2) the name of the party submitting the exhibit.

CHAPTER X.

Execution of order of Costs, Fine and Imprisonment.

54. The Registrar shall be the taxing officer of the Court.

55. Subject to any provision of any statute or of these Regulations, the costs of or incidental to all proceedings shall be in the discretion of the Court.

56. The order of costs made by the Court in any matter shall be drawn up by the Registrar in Form 18.

57. Any order of fine or compensation directed by the Court shall be drawn up in Form 19 and a copy thereof together with warrant in Form 20 shall be forwarded to the Collector of the District concerned for the purpose of execution as if it were recovery of arrears of land revenue under section 110.

58. Where the Court makes any order of imprisonment the accused shall be immediately apprehended by the police officer on duty who on obtaining a Jail Warrant in Form 21 signed by the Registrar shall deliver the accused to Jail authority to be taken in the custody of the Jail.

59. Copies of the awards or other decisions of the Court shall be supplied by the Registrar free of charge to the parties concerned, and the Labour Court, Civil or Criminal Court, Commissioner of Labour, Registrar of Unions or any other authority, Court or Board concerned. One copy in each case shall also be supplied to Government. Any additional copy required by any party, person or authority may be supplied at the discretion of the Registrar free of charge or at the cost prescribed for certified copies of documents in Schedule II.

CHAPTER XI.

Miscellaneous.

60. Where any fact is to be proved by affidavit, it shall be drawn up in Form 22, shall bear the stamp prescribed in schedule II and shall be sworn or affirmed in the presence of the Registrar.

61. The Court may correct in any award or order that it issues any clerical mistake or error arising from an accidental slip or omission.

62. If any question arises as to the interpretaion of any order made by the Court in any matter, the State Government or any party to the order may apply to the Court for a decision on such question and the Court may decide the matter after hearing the parties.

63. The Court or any other person authorised in writing by it in this behalf may at any time during the pendency of the dispute enter any building, factory, workshop or other places or premises whatsoever and inspect the same or any work, machinery, appliances or articles therein or interrogate any person therein in respect of anything situated therein or any matter relating to the subject matter of the dispute.

64. The Forms set out in Schedule I to these Regulations or forms substantially to the like effect with such variations as the circumstances of each case may require, shall be used for all cases where the forms are appropriate.

65. Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Court to make such order as may be necessary for the ends of justice or to prevent an abuse of the process of the Court.

SCHEDULE I.

FORMS.

Form No. 1.

(Warrant of Authority.)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of

In the matter of

Address :

Date :

To

The Registrar,
Industrial Court,
Bombay.

Dear Sir,

Be pleased to note that I/we have appointed Mr. to appear for me/us in the above matter.

Dated this day of 19 .

Accepted

(Signature)

Yours faithfully,

(Signature)

Form No. 2.

(*Application for certified copy of documents.*)

Address :

To

The Registrar,
Industrial Court, Bombay.

Subject.—Application / Petition / Appeal / Submission / Reference No. of 19

Dear Sir,

Be pleased to supply the undersigned with certified copy/copies of in the above matter. The copy may be sent by V. P. P. (or delivered to me) at the above address and I undertake to pay for the same.

Dated this day of 19 .

Yours faithfully,

(Signature)

(This form may be adopted with suitable alterations in making applications for extension of time to file statement, for withdrawal of matters, for adjournment, for inspection of documents, etc. or for any application mentioned in Regulation 23.)

Form No. 3.

(*Application, Petition or Memorandum of Appeal.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Application / Petition / Appeal No. of 19 .

(1) A
(2) B
(3) C ... Applicant/s. / Petitioner/s. / Appellant/s.

Address :

versus

(1) X
(2) Y
(3) Z ... Opponent/s. / Respondent/s.

Address :

Application/Petition/Appeal under section of the Bombay Industrial Relations Act, No. XI of 1947, read with

In the matter of

May it please the Honourable Court,

The applicant/s / petitioner/s / appellant/s abovenamed beg/s respectfully to submit as follows :—

(1) That
(2) That
(3) That

Certified copy of the order appealed against is enclosed herewith.

The applicant/s / petitioner/s / appellant/s therefore pray/s that the Court may be pleased to decide

(1) That
(2) That
(3) That

The applicant/s / petitioner/s / appellant/s beg/s to amend or add to or make alterations in the application/ petition/appeal if and when necessary.

Date.

Signature or thumb impression of applicant/petitioner/appellant.

The applicant/s / petitioner/s / appellant/s does/do solemnly declare that what is stated above is true to the best of his/their knowledge, belief and information. This verification is signed at on day of 19 .

Signature or thumb impression of applicant/s petitioner/s appellant/s.

Drafted by ...

Place.

Form No. 4.

(*Statement of Claim.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Reference/Submission No. of 19 .

BETWEEN

(*a*) (*b*) (*c*)
Address : } First Party.

AND

(*x*) (*y*) (*z*)
Address : } Second Party.

Reference/Submission under section of the Bombay Industrial Relations Act, No. XI of 1947.

In the matter of

May it please the Honourable Court,

The abovenamed beg/s respectfully to submit the statement of claim as follows :—

(1) That
(2) That
(3) That

The beg/s to amend add to or make alterations in the statement of claim if and when necessary.

Date.

Signature or thumb impression.

The does/do solemnly declare that what is stated above is true to the best of his/their knowledge, belief and information. This verification is signed at on day of 19 .

Signature or thumb impression.

Drafted by

Place

Form No. 5.

(Written Statement.)

IN THE INDUSTRIAL COURT, BOMBAY.

Application / Petition / Submission / Reference No. of 19

(1) A
(2) B
(3) C
... Applicant(s) / Petitioner(s) / First Party.

Address :

versus

(1) X
(2) Y
(3) Z
... Opponent(s) / Second Party.

Address :

In the matter of

May it please the Honourable Court,

The opponent(s) / second party abovenamed beg(s) respectfully to submit his/their written statement as under :—

(1) That
(2) That
(3) That

The Opponent(s) / Second party beg(s) to amend or add to or make alterations in the written statement if and when necessary.

Date.

Signature or thumb impression of opponent(s)/second party.

The opponent(s)/second party does/do solemnly declare that what is stated above is true to the best of his/their knowledge, belief and information. This verification is signed at on day of 19 .

Signature or thumb impression of opponent(s)/second party.

Drafted by

Place

Form No. 6.

(*Bail Bond.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Appeal No. of 19 .

Appellant (Original)

versus

Respondent (Original)

In the matter of conviction by
and sentence of

I having been convicted by of the offence of and sentenced to have filed the above appeal in the Industrial Court, Bombay, and have been granted bail, do hereby bind myself to attend the Industrial Court, whenever required to do so until the said appeal is finally decided and/or this Bail Bond is cancelled, in witness whereof I offer Mr. to stand as a surety for me.

Signature or thumb impression.
Date : Address.

I do hereby declare that I stand surety for the abovenamed and that he shall attend the Industrial Court whenever required until the appeal (No. of 19) filed by him is finally decided and/or this Bail Bond is cancelled, and in case of his making default therein, I hereby bind myself to forfeit to Government the amount of Rs.

Signature or thumb impression.
Date : Address :

In the presence of
(1) } Witnesses.
(2)

Before me,

Registrar.

Form No. 7.

(*Notice of Preliminary Hearing.*)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of 19 .

In the matter of

NOTICE.

PLEASE TAKE NOTICE that the above matter will be taken up for preliminary hearing by the Court at or at such time immediately thereafter according to the convenience of the Court on in

You are hereby required to appear in person or through any other person or by a duly authorised counsel, advocate, attorney, pleader or a representative, as the case may be, at the aforesaid time and place and to show cause, if any, why the above matter should not be summarily dismissed.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.
day of 19 .

To

Form No. 8.

(*Notice to file Written Statement in Application or Petition, etc.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Application / Petition No. of 19 .

(1) A
(2) B
(3) C
... } Applicant/s / Petitioner/s

Address :

versus

(1) X
(2) Y
(3) Z
... } Opponent/s

Address :

Application/Petition under section of the Bombay Industrial Relations Act, No. XI of 1947, read with

In the matter of

NOTICE.

WHEREAS abovenamed has filed in this Court, a copy whereof is enclosed herewith, NOTICE is hereby given to you that if you so desire, four copies of your written statement may be filed in this office on or before and that a copy thereof may be supplied to the abovenamed and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.
day of 19 .

To

Form No. 9.

(Writ of records and proceedings.)

No. of 19 .

In the matter of

To

Greeting :

WHEREAS the above matter has been admitted to the file AND WHEREAS it is necessary to look into the original papers, records and proceedings, etc. relating thereto, before the final order or award is made, you are requested to send to this Court all the books, papers, documents, records, proceedings, exhibits, files, etc., connected with the above matter, on or before
together with this Writ under your hand and seal.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.
day of 19 .

No.
Date :

The undersigned presents compliments to the Registrar, Industrial Court, and sends herewith the records, files, etc., as per the particulars given below.

Signature . .

Designation

Particulars of Records.

No.

OFFICE OF THE INDUSTRIAL COURT,
High Court, Bombay.

The matter having been finally decided by the Court, the undersigned presents compliments to and is directed to return the above mentioned records, files, etc.

Registrar,
Industrial Court.

To

Form No. 10.

(*Notice to file statement of claim in a Submission.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Submission No. of 19 .

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS the parties abovenamed have submitted the above dispute to the arbitration of this Court, PLEASE TAKE NOTICE that you are hereby required to file a statement of claim (in four copies) in connection with the said dispute on or before the and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.
Office of the Industrial Court,
High Court, Bombay.
day of 19 .

To

Form No. 11.

(*Notice to file written statement in Submission.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Submission No. of

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS the parties abovenamed have submitted the above dispute to the arbitration of this Court, AND WHEREAS has been directed to file a statement of claim in this office on or before a copy whereof will be handed over to you simultaneously by him/them on or before that day, PLEASE TAKE NOTICE that you are hereby required to file in this office on or before the four copies of the written statement in reply to the statement of claim that you may receive and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.

day of 19

To

Form No. 12.

(*Notice to file statement of claim in a Reference.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Reference No. of 19 .

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS by Government Notification, Political and Services Department No. dated the the above matter has been referred to the arbitration of this Court, PLEASE TAKE NOTICE that you are hereby required to file a statement of claim (in four copies) in this office on or before
in connection with the said dispute and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

By order of the President,

Seal

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.

day of 19 .

To

MO-1 Bk H 100—79

Form No. 13.

(*Notice to file written statement in a Reference.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Reference No. of 19 .

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS by Government Notification, Political and Services Department, No. dated the the above matter has been referred to the arbitration of this Court, AND WHEREAS has/have been directed to file a statement of claim in this office on or before a copy whereof will be handed over to you simultaneously by him/them on or before that day, PLEASE TAKE NOTICE that you are hereby required to file in this office on or before the four copies of the written statement in reply to the statement of claim that you may receive and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

By order of the Persident,

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.
day of 19 .

To

Form No. 14.

(*Notice of hearing.*)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of 19 .

In the matter of

NOTICE.

WHEREAS the above matter has been admitted to the file, PLEASE TAKE NOTICE that the said matter will be taken up for hearing at or at such time immediately thereafter according to the convenience of the Court on in You are hereby required to appear in person or through any other person or by a duly authorised counsel, advocate, attorney, pleader or a representative or by an officer of a representative union, qualified union, primary union or approved union or the Government Labour Officer of the local area concerned, as the case may be, at the aforesaid time and place and to continue to remain present until the said matter has been finally disposed of and to produce before the said Court on those days all books, documents, etc. which may be in your possession or under your control and in any way relating to the matters in dispute and witnesses, if any.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay :

day of 19 .

To

Form No. 15.

(Intimation to Government for appearance.)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of 19

In the matter of

INTIMATION.

WHEREAS the above matter will be taken up for hearing at or at such time immediately thereafter according to the convienence of the Court on in AND WHEREAS it appears necessary that Government should be represented and heard on points arising therein, arrangement may kindly be made to engage the Advocate General, Government Pleader or any other officer as Government may consider proper in order to place the Government's case before the Court at the aforesaid time and place.

By order of the President,

Seal.

Registrar,
Industrial Court

No.

Office of the Industrial Court,

High Court, Bombay,

day of 19 .

To

Form No. 16.

(*Notice to Government Labour Officer for appearance.*)

IN THE INDUSTRIAL COURT, BOMBAY.

NOTICE.

WHEREAS the matters mentioned on the reverse will be taken up for hearing at

or at such time immediately thereafter according to the

convenience of the Court, on in

AND WHEREAS your presence is necessary, PLEASE TAKE NOTICE that you or your

deputy is required to attend the Court at the aforesaid time and place.

By order of the President,

Seal

Registrar,
Industrial Court.

No.

Office of the Industrial Court,

High Clourt, Bombay,

day of 19

To

The Government Labour Officer,

Form No. 17.

(*Commission.*)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of 19 .

In the matter of

COMMISSION.

WHEREAS the Court was pleased to direct the issue of a Commission by an order made on for examination of witnesses and for inquiry and/or investigation of the matter mentioned in the Schedule overleaf, KNOW YOU that pursuant to the said order you are hereby appointed Commissioner for that purpose wherein you are authorised and empowered to command the attendance of the said witnesses and to cause such witnesses to be examined, cross-examined and re-examined upon oath or on solemn affirmation as the case may be and to record their evidence in writing in the presence of the parties or their counsel, advocates, attorneys, pleaders or representatives and to conduct inquiry and investigation at and you are further directed to send the complete record of the evidence, report of your inquiry and investigation under your hand and seal together with this commission to the undersigned not later than

Given under my hand and seal of the Court.

Bombay, dated this day of 19 .

By order of the President,

Seal.

Registrar,
Industrial Court.

No.
Office of the Industrial Court,
High Court, Bombay.

To

Form No. 18.

(*Order of Costs.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Before

No. of 19 .

Industry.
Amount Rs.

The said Court doth hereby ORDER that the abovenamed shall pay to the abovenamed the sum of Rupees being cost in the above matter, as detailed on the reverse.
Given under the Seal of the Court.
This day of 19 .

(True copy)

Registrar,
Industrial Court.

(*Reverse.*)

Particulars.	Amount.
	Rs. a. p.
Total ..	

Form No. 19.

(*Order of Fine and/or Compensation.*)

IN THE INDUSTRIAL COURT, BOMBAY.

Before

No. of

The said Court doth hereby CONVICT Mr.
of the offence of
under Section of the Bombay Industrial Relations Act (No. XI of 1947), and ORDER him to pay a fine of Rs.
and/or compensation amounting to Rs. and DIRECT that out of the amount recovered from him, Rs. shall be paid to

Given under the Seal of the Court.
The day of 19 .

By order of the Court,

(True copy.)

Registrar,
Industrial Court.

Form No. 20.

(*Warrant for recovery of fine and compensation imposed by the Industrial Court.*)

IN THE INDUSTRIAL COURT, BOMBAY.

WHEREAS by an order (copy enclosed) made on the

day of 19 . . (Name) in

No. of 19 was convicted by this Court of the

offence of under section of the

and was ordered to pay a fine of Rs.

and/or compensation amounting to Rs. to be paid to

you are hereby directed under section 110 of the Bombay Industrial Relations Act to recover the said amount of fine and/or compensation from the said person as arrears of land revenue and to pay Rs.

to

and to certify to this Court that the said order has been executed according to law.

Given under my hand and Seal of the Court.

This day of 19 .

By order of the President.

Seal.

Registrar,
Industrial Court.

No.

Office of the Industrial Court,
High Court, Bombay.

day of 19 .

To

Form No. 21.

(Warrant of commitment on a sentence of imprisonment passed or confirmed by the Industrial Court.)

IN THE INDUSTRIAL COURT, BOMBAY.

WHEREAS on the day of 19 (Name)
No. of 19 was convicted by Court of the
offence of under section of
the and was sentenced to
AND WHEREAS the said sentence is confirmed/modified by this Court, this is to authorise and require you to receive the said person into you custody and put him in jail together with this warrant and thereafter carry the aforesaid (remaining) sentence into execution according to law.

Given under my hand and Seal of the Court.

This day of 19 .

By order of the President.

Seal.

Registrar,
Industrial Court.

No.
Office of the Industrial Court,
High Court, Bombay.
day of 19 .

To

Form No. 22.

(Form of Affidavit.)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of 19 .

I (Name)
beg to state on oath/solemn affirmation as follows :—
(1)
(2)
(3)
(4)

Signature.

Identified by

Before me,

Registrar,
Industrial Court.

Form No. 23.

(*Summons to Witness.*)

IN THE INDUSTRIAL COURT, BOMBAY.

No. of

In the matter of

SUMMONS.

WHEREAS the above matter will be taken up for hearing at
or at such time immediately thereafter according to the convenience of the Court, on in
AND WHEREAS your presence is necessary, you are hereby SUMMONED to appear in person before the said Court at the aforesaid time and place to give evidence, to answer all material questions and to produce all books, documents, etc. which may be in your possession or under your control and in any way relating to the matters in dispute, and to continue to remain present until you are discharged.

By order of the President,

Seal.

Registrar,
Industrial Court.

No.
Office of the Industrial Court,
High Court, Bombay.
day of 19 .

To

SCHEDULE II.

Tables of Fees, Charges, etc.

	Rs.	a.	p.
(1) Affidavit as provided in Schedule I to the Stamp Act ..	1	0	0
(2) Process fees for each witness summons	0	6	0
(3) Type copying and comparing charges of certified copies of documents (per folio of 100 words)	0	8	0
(4) Inspection and search of documents in the possession of Court (per day for each document)	0	12	0

N.B.—Fees for items 3 and 4 are payable in cash and in respect of other items, in court fee stamps.

APPENDIX B.

The Labour Courts (Practice and Procedure) Rules (B. G., Pt. IV-B, p. 645).

S. 85. Labour Courts (Practice and Procedure) Rules, 1947.

In exercise of the powers conferred under section 85 of the Bombay Industrial Relations Act (No. XI of 1947), the Industrial Court has framed the following rules for regulating the practice and procedure of Labour Courts :—

CHAPTER I.

General.

1. These rules may be called " The Labour Courts (Practice and Procedure) Rules, 1947 ", and shall come into force on the day the Bombay Industrial Relations Act (No. XI of 1947) comes into force by virtue of a notification issued by the State Government under section 2 (*2*) of the said Act.

2. (A) In these rules unless there is anything repugnant in the subject or context :

(1) " Act " means the Bombay Industrial Relations Act (No. XI of 1947).

(2) " Application " means any application made to the Court under the Act or these rules.

(3) " Complaint " means an allegation made in writing to a Judge with a view to his taking action under the Act that some person mentioned therein has committed an offence punishable under the Act, and includes the Report of a Labour Officer under section 82 of the Act.

(4) " Court " means the Labour Court as constituted under section 9 of the Act.

(5) " Judge " means a judge appointed to preside over a Labour Court as defined in section 3 (*21*) of the Act.

(6) " Matter " means any application, petition, reference, submission or criminal complaint filed in or made to the Labour Court under the provisions of the Act.

(7) " Order " means any order made by the Labour Court in any proceeding before it other than an award.

(8) " Party " means the applicant, petitioner, opponent, complainant or accused or an employer or employee concerned in any application, petition, submission, reference or criminal complaint.

(9) " Petition " means any petition made to the Court under the Act or these rules.

(10) " Statement of Claim " means a statement filed by or on behalf of a party on whose claim submission or reference arises.

(11) " Written Statement " means a statement filed by an opponent in reply to a statement of Claim or to an application or petition.

(B) Words and expressions not defined in these rules shall have the same meanings assigned to them under the Act.

CHAPTER II.

Sittings.

3. (*a*) The Court shall ordinarily sit on week days from 11 a.m. to 5 p.m. with a recess, subject to such alterations as the judge may direct on any particular day or days. On Sundays the Court shall sit from 11 a.m. to 2 p.m.

15. If the application or petition is not in order by reason of any formal defect it shall be returned by the judge for remedying the defect if any, within a specified time.

16. If the judge thinks that any application or petition may be fixed for preliminary hearing he shall cause notice in form E to be served on the applicant or petitioner directing him to appear before him at the time and place mentioned therein to show cause why the application or petition may not be summarily dismissed.

17. If any of the parties applies for determining certain matter on preliminary issues, the judge may proceed to determine such issues on issuing notice to the opposite party.

18. If the application or petition is not summarily dismissed the judge shall cause notice in form F to be given to the opponent directing him to file a written statement within a specified time.

19. As soon as any submission or reference is admitted to the file the judge shall give notices in forms G, H, I and J to the parties to file their statement of claim, or written statement as the case may be within the time stated in the notice.

20. The statement of claim and the written statement referred to in rule 19 shall be drawn up in forms C and D respectively.

20-A. As soon as the written statement is filed as required under these rules, and the matter is ready for hearing, a notice of hearing in Form JJ shall be issued to the parties concerned.

II. Special (Criminal) Jurisdiction.

21. The provisions of the Code of Criminal Procedure, 1898, regarding bail shall apply to all proceedings in respect of offences triable by the Court.

22. In all criminal proceedings before the Court the forms prescribed in the Code of Criminal Procedure shall be used in so far as they may be applicable.

CHAPTER VI.

Issue of Summonses, notices and processes.

23. When in any matter it appears necessary that Government should be represented and heard on any point arising therein, the judge shall give intimation of the matter to the State Government or the principal officer of Government in the local area as per Form K.

24. In any matter coming before the Court in its ordinary jurisdiction, where it appears, on application of any of the parties or otherwise, that the presence of the Government Labour Officer of the local area concerned is necessary, a notice in Form "L" may be given to him requiring him or his deputy to attend the Court at such time and place as mentioned therein.

25. Every summons, notice, warrant or other process and every decision, order, award, certified copy of any document, shall be signed by the judge with the day and year of signing and shall be sealed with the official seal of the Court.

26. The service of every summons, notice, warrant, other mandatory process, order or award shall be effected either by hand delivery or through Registered Post as may be expedient or as provided in order V of Civil Procedure Code or in Criminal Procedure Code as the case may be.

Chapter VII.

Procedure in the Court.

Ordinary Jurisdiction.

27. The Court shall call upon the parties in such order as it may think fit to state their case.

28. Each witness shall give his evidence on oath or solemn affirmation as the case may be and shall give the following particulars, namely (1) his name, (2) age, (3) occupation and (4) place of residence and (5) religion, if any.

29. The Court may accept, admit or call for any evidence at any stage and in any manner it thinks fit.

30. Where a party desires to rely upon any statistical statement the party shall supply copies as follows, namely, one copy to the Court and additional copies to each of the assessors if so required by the Court and one copy to each representative for the other side.

31. Where statistical statements are to be filed as exhibits on each such statement shall be put the following particulars, namely, (1) the source from which the figures have been compiled, and (2) the name of the party submitting the exhibit.

Chapter VIII.

Miscellaneous.

32. One party on either side in any matter, Registrar or unions, or any other authority wherever concerned, shall be supplied by the Judge with a certified copy of the decision, order or award made therein by him free of charge and any additional copy required by the parties shall be supplied at the cost prescribed for certified copies of documents in Schedule II.

33. Where any fact is to be proved by affidavit it shall be drawn in Form M, shall bear the stamp prescribed in Schedule II and shall be sworn or affirmed in the presence of the judge or the Court clerk who may be authorised in writing by the judge in this behalf.

34. The Court may correct in any decision, award or order any clerical mistake or error arising from an accidental slip or omission.

35. The forms set out in Schedule I to these rules or forms substantially to the like effect with such variations as the circumstances of each case may require shall be used for all cases where forms are appropriate.

36. Nothing in these rules shall be deemed to limit or otherwise affect the power to make such order as may be necessary for the ends of justice or to prevent the abuse of process of the Court.

37. The judge or any other person authorised in writing by him in this behalf may at any time during the pendency of the dispute enter any building, factory, workshop, or other places or premises whatsoever and inspect the same or any work, machinery, appliances, or articles therein or interrogate any person therein in respect of anything situated therein or any matter relating to the subject matter of the dispute.

CHAPTER IX.

Registers and Returns.

38. The judge shall send every year before 31st January a return in Form O to the Registrar, Industrial Court, showing the number of cases filed, withdrawn, decided, pending, etc.

39. A register in Form P shall be maintained for entering the particulars of exhibits returned.

40. The applications or petitions, submissions, references and complaints in criminal matters shall be entered separately in registers as per Forms Q, R, S and T respectively.

41. The particulars of certified copies given to the parties shall be entered in a separate register as per Form U.

SCHEDULE I.

FORMS.

Form A.

(*Memorandum of Appearance.*)

IN THE LABOUR COURT AT

No. of

In the matter of

Address :

I/We have appointed Mr.
to appear for me/us in the above matter.

Dated this day of 19

(Signature).

Accepted.

(Signature).

Form B.

(*Application or Petition.*)

IN THE LABOUR COURT AT

$\frac{\text{Application}}{\text{Petition}}$ No. of 19 .

(1) A
(2) B
(3) C

.. } Applicant/s.
.. } Petitioner/s.
..

Address :

versus

(1) X
(2) Y
(3) Z
.. } Opponent/s.

Address :

Application/petition under section of the Bombay Industrial Relations Act, XI of 1947, read with section

In the matter of

The applicant/s / petitioner/s abovenamed beg/s respectfully to submit as follows :—

(1) That
(2) That
(3) That

The applicant/s / petitioner/s therefore pray/s that the Court may be pleased to decide

(1) That
(2) That
(3) That

The applicant/s / petitioner/s beg/s to amend or add to or make alterations in the application/petition if and when necessary.

Date : Signature or thumb impression of applicant/s / petitioner/s

The applicant/s / petitioner/s does/do solemnly declare that what is stated above is true to the best of his/their knowledge, belief and information. This verification is signed at on day of 19 .

Signature or thumb impression of applicant/s / petitioner/s

Drafted by

Place

Form C.

(*Statement of Claim.*)

IN THE LABOUR COURT AT

Reference/Submission No. of 19 .

BETWEEN

(*a*) (*b*) (*c*) ... First Party.

Address :

AND

... Second Party.

(*x*) (*y*) (*z*) Address :

Reference/submission under section of the Bombay Industrial Relations Act, No. XI of 1947.

In the matter of

The abovenamed beg/s respectfully to submit the statement of claim as follows :—

(1) That
(2) That
(3) That

The beg/s to amend, add to or make alterations in the statement of claim if and when necessary.

Date :

Signature or thumb impression.

The does/do solemnly declare that what is stated above is true to the best of his/their knowledge, belief and information. This verification is signed at on day of 19 .

Signature or thumb impression.

Drafted by

Place

Form D.

(*Written Statement.*)

IN THE LABOUR COURT AT

Application / Petition / Submission / Reference No. of 19 .

(1) A
(2) B
(3) C
.. Applicant/s / Petitioner/s / First Party.

Address :

versus

(1) X
(2) Y
(3) Z
.. Opponent/s / Second Party.

Address :

In the matter of

The opponent/s / second party abovenamed beg/s respectfully to submit his/their written statement as under :—

(1) That
(2) That
(3) That

The opponent/s / second party beg/s to amend or add to or make alterations in the written statement if and when necessary.

Date :

Signature or thumb impression of opponent/s second party.

The opponent/s second party does/do solemnly declare that what is stated above is true to the best of his/their knowledge, belief and information. This verification is signed at on day of 19 .

Signature or thumb impression of opponent/s second party.

Drafted by

Place

Form E.

(*Notice of Preliminary Hearing.*)

IN THE LABOUR COURT AT

No. of 19 .

(Ordinary Jurisdiction.)

In the matter of

NOTICE.

PLEASE TAKE NOTICE that the above matter will be taken up for preliminary hearing before me at on in You are hereby required to appear in person or through any other person or by a duly authorised counsel, advocate, attorney, pleader or a representative as the case may be at the aforesaid time and place and to show cause, if any, why the above matter should not be summarily dismissed.

Seal.

Judge,

Labour Court.

No.
Office of the Labour Court,
day of 19

To .

Form F.

(Notice to file written statement in application or petition.)

IN THE LABOUR COURT AT

Application / Petition No. of 19 .

(Ordinary Jurisdiction.)

(1) A
(2) B
(3) C

} Applicant (s) / Petitioner (s)

Address :

versus

(1) X
(2) Y
(3) Z

} Opponent (s).

Address :

Application/Petition under section of the Bombay Industrial Relations Act, No. XI of 1947, read with section .

In the matter of

NOTICE.

WHEREAS abovenamed has filed in this Court, a copy whereof is enclosed herewith, NOTICE is hereby given to you that if you so desire, two copies of your written statement may be filed in this office on or before and that a copy thereof may be supplied to the abovenamed and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

day of 19 .

To

Form G.

(Notice to file statement of claim in a Submission.)

IN THE LABOUR COURT AT

Submission No. of 19 .

(Ordinary Jurisdiction.)

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS the parties abovenamed have submitted the above dispute to the arbitration of this Court, PLEASE TAKE NOTICE that you are hereby required to file a statement of claim (in two copies) in connection with the said dispute on or before the
and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

day of 19 .

To

Form H.

(*Notice to file written statement in a Submission.*)

IN THE LABOUR COURT AT

Submission No. of 19 .

(Ordinary Jurisdiction.)

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS the parties abovenamed have submitted the above dispute to the arbitration of this Court, AND WHEREAS has/have been directed to file a statement of claim in this office on or before a copy whereof will be handed over to you simultaneously by him/them on or before that day, PLEASE TAKE NOTICE that you are hereby required to file in this office on or before the two copies of the written statement in reply to the statement of claim that you may receive and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

day of 19 .

To

Form I.

(*Notice to file statement of claim in a Reference.*)

IN THE LABOUR COURT AT

Reference No. of 19 .

(Ordinary Jurisdiction.)

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS by Government Notification, Political and Services Department, No. dated the the above matter has been referred to the arbitration of this Court, PLEASE TAKE NOTICE that you are hereby required to file a statement of claim (in two copies) in this office on or before in connection with the said dispute and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

day of 19 .

To

Form J.

(*Notice to file written statement in a Reference.*)

IN THE LABOUR COURT AT

Reference No. of 19 .

(Ordinary Jurisdiction.)

BETWEEN

AND

In the matter of

NOTICE.

WHEREAS by Government Notification, Political and Services Department, No. dated the the above matter has been referred to the arbitration of this Court, AND WHEREAS has/have been directed to file a statement of claim in this office on or before a copy whereof will be handed over to you simultaneously by him/them on or before that day, PLEASE TAKE NOTICE that you are hereby required to file in this office on or before the two copies of the written statement in reply to the statement of claim that you may receive and that a copy of the same may be handed over by you simultaneously to the other side and to inform the undersigned that this has been done.

2. The time and the place of hearing will be announced later.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

day of 19 .

To

Form JJ.

(*Notice of hearing.*)

IN THE LABOUR COURT AT

Ordinary Jurisdiction.

No. of 19 .

In the matter of

NOTICE.

WHEREAS the above matter has been admitted to the file, PLEASE TAKE NOTICE that the said matter will be taken up for hearing at or at such time immediately thereafter according to the convenience of the Court on in

You are hereby required to appear in person or by a duly authorised person entitled to appear on your behalf at the aforesaid time and place and to continue to remain present until the said matter has been finally disposed of and to produce before the said Court on those days all books, documents, etc., which may be in your possession or under your control and in any way relating to the matters in dispute and witnesses, if any.

Seal.

Judge,
Labour Court.

No. of 19 .

Office of the Labour Court,

day of 19 .

Form K.

(*Letter of Intimation to Government.*)

IN THE LABOUR COURT AT

No. of 19 .

In the matter of

No.

OFFICE OF THE LABOUR COURT.

From

X Y Z,
Judge,
Labour Court ;

To

Sir,

I have the honour to inform you that the above matter will be taken up for hearing before me at on in . It is necessary that Government should be represented and heard on points arising therein. I am, therefore, to request you that arrangement may kindly be made to engage a lawyer or any other officer as you may consider proper in order to place the Government's case before the Court at the aforesaid time and place.

Your obedient servant,

Judge,
Labour Court.

Form L.

(*Letter to the Government Labour Officer for appearance.*)

IN THE LABOUR COURT AT

(Ordinary Jurisdiction.)

No.

OFFICE OF THE LABOUR COURT,

From

X Y Z,
Judge,
Labour Court ;

To

The Government Labour Officer.

Sir,

I have the honour to inform you that the matters mentioned on the reverse will be taken up for hearing before me at on

in , which please note.
As the presence of the Labour Officer is necessary, I am to request you to make it convenient to atend the sittings of the Court or to send your deputy at the aforesaid time and place.

Your obedient servant,

Judge,
Labour Court.

Form M.

(*Form of Affidavit.*)

IN THE LABOUR COURT AT

No. of 19 .

I (Name)

beg to state on oath/solemn affirmation as follows :—

(1) That

(2) That

(3) That

(4) That

(Signature)

Identified by

Before me,

Judge,
Labour Court.

Form N.

(*Summons to Witness.*)

IN THE LABOUR COURT AT

No. of 19 .

In the matter of

SUMMONS.

WHEREAS the above matter will be taken up for hearing at on in AND WHEREAS your presence is necessary, you are hereby SUMMONED to appear in person before me at the aforesaid time and place and to give evidence, to answer all material questions and to produce all books, documents, etc., which may be in your possession or under your control and in any way relating to the matters in dispute, and to continue to remain present until you are discharged.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

day of 19 .

To

Form O.

Annual Return showing the position of cases as on 31st December 19 .

IN THE LABOUR COURT AT

Nature of Case.	Centre.		Remarks.
	Sub-Areas.	Total.	
Criminal Complaint.			
Filed by individual persons	...	...	
Filed by Government Labour Officer	...	...	
No. of cases filed in 19	...	...	
No. of cases pending from 19	...	...	
	Total	...	
No. of cases decided in 19	...	...	
No. of cases withdrawn in 19	...	...	
No. of cases pending in 19	...	...	
Application for Illegal Changes.			
Filed by employees	...	...	
Filed by Trade Unions	...	...	
Filed by Government Labour Officers	...	...	
No. of cases filed in 19	...	...	
No. of cases pending from 19	...	...	
	Total	...	
No. of cases decided in 19	...	...	
No. of cases withdrawn in 19	...	..	
No. of cases pending in 19	...	...	
Application for Illegal Strike.			
Filed by Employers' Association	...	...	
Filed by individual employers	...	...	
No. of cases filed in 19	...	...	
No. of cases pending from 19	...	...	
	Total	...	
No. of cases decided in 19	...	...	
No. of cases withdrawn in 19	...	...	
No. of cases pending in 19	...	...	

Nature of Case.	Centre.		Remarks.
	Sub-Areas.	Total.	
Submissions.			
Filed by individual employers', employees' Associations and Trade Unions in 19	...	...	
No. of cases pending from 19	...	...	
		Total ...	
No. of cases decided in 19	...	...	
No. of cases withdrawn in 19	...	...	
No. of cases pending in 19	...	...	
References.			
From the Provincial Government under Section		...	
No. of cases decided in 19	...	...	
No. of cases pending in 19	...	...	
Miscellaneous Applications or Petitions.			
Filed by Employers' Association	...	...	
Filed by individual employers	...	...	
Filed by individual employees	...	...	
Filed by Trade Unions	...	...	
Filed by Government Labour Officers	...	...	
		Total ...	
No. of cases decided in 19	...	...	
No. of cases withdrawn in 19	...	...	
No. of cases pending in 19	...	...	
		Grand Total ...	
No. of cases filed in 19	...	...	
No. of cases pending from 19	...	...	
		Total ...	
No. of cases decided in 19	...	...	
No. of cases withdrawn in 19	...	...	
No. of cases pending in 19	...	...	

Form P.

THE LABOUR COURT AT

Register of Exhibits returned.

Register No.	Exhibit No.	Matter No.	Put in by	Date when tendered.

(*Contd. below*)

Returned on	Returned to	Acknowledgement received on.	Initials.	Remarks.

Form Q.

THE LABOUR COURT AT

Register of Applications or Petitions.

Date of Application / Petitions	Application or Petition No.	Applicant / Petitioner	Opponent.	Subject matter.	Industry.	Date of hearing.	Adjournment.

(*Contd. below*)

Date of final order.	Final Order in brief.	Witnesses examined on behalf of the		Exhibits tendered by the		Remarks.
		Applicant / Petitioner	Opponent / Petitioner	Applicant.	Opponent.	

Form R.

THE LABOUR COURT AT

Register of Submissions.

Date of filing.	Submission No.	Parties to Submission.	Industry.	Terms of Reference.	Date of hearing.	Adjournments.

(Contd. below)

Date of Award.	Award in brief.	Witnesses examined.		Exhibits tendered.		Remarks.
		For first party.	For second party.	By first party.	By second party.	

Form S.

THE LABOUR COURT AT

Register of References.

Date of Receipt.	Reference No.	Government Notification No. and date.	Parties to Reference.	Terms of Reference.	Date of hearing.	Adjournments.

(Contd. below)

Date of award.	Award in brief.	Witnesses examined.		Exhibits tendered.		Remarks.
		For first party.	For second party.	By first party.	By second party.	

Form T.

THE LABOUR COURT AT

Register of Criminal Complaints.

Case No.	Date of complaint.	Complainant.	Accused.	Charge.	Dates of proceedings and final order.	Order in brief.

(*Contd. below*)

Names of witnesses.		List of exhibits.	Execution of order.	Remarks.
Of Complainant.	Of accused.			

Form U.

THE LABOUR COURT AT

Register for supply of Certified Copies.

Serial No.	Date of receipt of application.	Name.	Particulars of certified copy asked for.	Copy delivered or posted on.	No. of folios.	Copying charges
						Rs. a. p.

(*Contd. below*)

Postage	Total amount	Amount received on	Receipt No.	Date of payment in Treasury or Reserve Bank.	Initials.	Remarks.
Rs. a. p.	Rs. a. p.					

SCHEDULE II.

Table of Fees, Charges, etc.

	Rs.	a.	p.
(1) Affidavit	0	8	0
(2) Process fee for each witness summons	0	6	0
(3) Type copying and comparing charges of certified copies of documents (per folio of 100 words)	0	6	9
(4) Inspection and Search of documents in the possession of Court (per day for each document)	0	12	0

N.B.—Fees for items 3 and 4 are payable in cash and in respect of other items in court fee stamps.